



U.S. Department
of Transportation
**Federal Aviation
Administration**

Orlando Airports District Office
5950 Hazeltine National Drive, Ste. 400
Orlando, Florida 32822



July 5, 2017

Mr. Jerry L. Allen, AAE
Deputy Director
Palm Beach County Department of Airports
846 Palm Beach International Airports
West Palm Beach, Florida 33406-1470

RECEIVED
2017 JUL 10 PM 4:17
DEPT. OF AIRPORTS
BLDG. 846: PBIA

Letter of Release (AIP Grant-Acquired Noise Land)
Palm Beach International Airport; West Palm Beach, Florida
Green Street Parcels

Dear Mr. Allen:

This is in response to your letter dated April 17, 2017 requesting that two parcels adjacent to Green Street be released from the terms, conditions, and obligations of currently active Grant Agreements between the Federal Aviation Administration (FAA) and Palm Beach County.

The requested release is for the purpose of permitting Palm Beach County to donate and convey title of this property to the Florida Department of Transportation to facilitate roadway improvements into the Golfview area.

We have concluded that this property, as described below, is no longer needed for noise compatibility purposes and does not need to be redesignated as airport development land:

RIGHT-OF-WAY PARCEL NO. 1

A PARCEL OF LAND FOR RIGHT-OF-WAY PURPOSES BEING A PORTION OF THE LAND DESCRIBED IN OFFICIAL RECORD BOOK 26407, PAGE 508 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 36, A DISTANCE OF 1334.96 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36, A DISTANCE OF 53.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE

544 OF SAID PUBLIC RECORDS BEING A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE AND THE POINT OF BEGINNING. THENCE NORTH $01^{\circ}30'22''$ EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 17.75 FEET TO A LINE LYING 17.75 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36; THENCE SOUTH $88^{\circ}35'08''$ EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 5.00 FEET TO A LINE LYING 58.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH $01^{\circ}30'22''$ WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 8.50 FEET; THENCE SOUTH $62^{\circ}35'29''$ EAST, A DISTANCE OF 9.69 FEET TO A LINE LYING 5.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36; THENCE SOUTH $88^{\circ}35'08''$ EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 9.00 FEET TO A LINE LYING 75.72 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH $01^{\circ}30'22''$ WEST ALONG SAID PARALLEL LINE TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, A DISTANCE OF 5.00 FEET; THENCE NORTH $88^{\circ}35'08''$ WEST ALONG SAID LINE, A DISTANCE OF 22.72 FEET TO SAID EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 196 SQUARE FEET OR 0.0045 ACRES FEET MORE OR LESS.

ALSO TOGETHER WITH

RIGHT-OF-WAY PARCEL NO. 2

A PARCEL OF LAND 15.00 FEET IN WIDTH FOR RIGHT-OF-WAY PURPOSES BEING A PORTION OF LOT 1 AND LOT 2, BLOCK 1 OF THE PLAT OF COUNTRY CLUB ESTATES, RECORDED IN PLAT BOOK 9, PAGE 53 AND AS RECONFIGURED AS PBIA PROPERTIES PARCEL B IN THE AFFIDAVIT OF WAIVER RECORDED IN OFFICIAL RECORD BOOK 23862, PAGE 198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID EASEMENT CONTAINS 2,051 SQUARE FEET OR 0.0471 ACRES FEET MORE OR LESS.

This land was acquired under 49 CFR 47107(c) (2) (A), and the Airport Owner, by accepting this release, agrees to:

1. Dispose of the land by transferring it out of airport inventory and into general County inventory. The property shall be used for right-of-way purposes for the Florida Department of Transportation. The FAA understands this land is needed for improvements that will facilitate development into the Golfview area and benefits the airport.
2. Retain or reserve necessary interests or rights to ensure that the subject property will only be used in way that is compatible with the noise levels associated with operating the airport.
3. Update the Airport Noise Land Use Reuse Plan and Inventory and Exhibit A Property Map.

In consideration of these premises, the FAA agrees to release the Airport Owner from the obligations, terms, and conditions of the existing grant agreements as of the date of this agreement as they may relate to the subject property.

Please indicate your acceptance of these conditions by signing and completing the bottom portion of this letter and the enclosed duplicate and returning one copy to our office.

Sincerely,



Bart Vernace, P.E.
Manager

1 Enclosure

Accepted for Palm Beach County

ATTEST:
SHARON R. BOCK,
CLERK AND COMPTROLLER

By: _____
Deputy Clerk

**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: _____
County Attorney

**APPROVED AS TO TERMS
AND CONDITIONS**

By:  _____
Director, Department of Airports

2

RESOLUTION NO. R-2017-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; DETERMINING THAT CERTAIN REAL PROPERTY IS NOT NECESSARY FOR AIRPORT PURPOSES, AND THAT THE DISPOSITION OF SUCH PROPERTY BY THE COUNTY SHALL NOT IMPAIR THE OPERATING EFFICIENCY OF THE AIRPORT SYSTEM OR REDUCE THE REVENUE-PRODUCING CAPABILITY OF THE AIRPORT SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Palm Beach County Airport System Revenue Bond Resolution, dated April 3, 1984 (R-84-427), as amended and supplemented (the "Bond Resolution"), the County has issued Airport System Revenue Bonds; and

WHEREAS, in order to dispose of real property existing as part of the Airport System (as defined in the Bond Resolution), Section 708 of the Bond Resolution requires the County to make a determination that such real property is not necessary, useful or profitable in the operation of the Airport System; and

WHEREAS, the Florida Department of Transportation ("FDOT") requires the donation of certain real property, consisting of two (2) parcels as more particularly described on Exhibit "A", attached hereto and made a part hereof, (hereinafter referred to as the "Green Street Property"), for State road right of way purposes, which real property is currently part of the Airport System; and

WHEREAS, the Board of County Commissioners of Palm Beach County is satisfied that the Green Street Property is required for State road right of way purposes and is not necessary, useful or profitable in the operation of the Airport System.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. The Board of County Commissioners of Palm Beach County hereby determines that: (a) the Green Street Property is not necessary, useful or profitable in the operation of the Airport System; and (b) use of the Green Street Property for State road right of way purposes will not impair the operating efficiency of the Airport System or reduce the revenue-producing capability of the Airport System.

Section 3. The provisions of this Resolution shall be effective immediately upon adoption hereof.

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 Paulette Burdick, Mayor	-
Commissioner Melissa McKinlay, Vice Mayor	-
Commissioner Hal R. Valeche	-
Commissioner Dave Kerner	-
Commissioner Steven L. Abrams	-
Commissioner Mary Lou Berger	-
Commissioner Mack Bernard	-

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day
of _____, 2017.

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

SHARON R. BOCK, CLERK & COMPTROLLER

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Deputy Clerk

By: _____
Assistant County Attorney

EXHIBIT "A"

Two (2) Parcels of Land Identified as Follows:

RIGHT OF WAY PARCEL NO. 1

(See Palm Beach County Engineering Services Drawing No. S-1-15-3660)

and

RIGHT OF WAY PARCEL NO. 2

(See Palm Beach County Engineering Services Drawing No. S-1-15-3665)

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SURVEYOR'S REPORT

SAID PARCEL CONTAINS 196 SQUARE FEET OR 0.0045 ACRES FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

PROJECT NO. 2015013-04	SHEET: 1	OF: 3	PROJECT: PBIA GOLFVIEW INFRASTRUCTURE RIGHT-OF-WAY PARCEL NO. 1	SCALE: 1" = 20' APPROVED: G.W.M. DRAWN: S.T.A. CHECKED: W.L.F. DATE: 8/31/15 FIELD BOOK NO.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>REVISED CERT.</td> <td>S.T.</td> <td>7/25/16</td> </tr> <tr> <td>2</td> <td>REVISED LEGAL</td> <td>G.W.</td> <td>8/17/16</td> </tr> <tr> <td>3</td> <td>ADDED TITLE</td> <td>G.W.</td> <td>8/30/17</td> </tr> </tbody> </table>	NO.	REVISION	BY	DATE	1	REVISED CERT.	S.T.	7/25/16	2	REVISED LEGAL	G.W.	8/17/16	3	ADDED TITLE	G.W.	8/30/17	 <p>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411</p>
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DESIGN FILE NAME: S-1-15-3660.DGN			DRAWING NO.: S-1-15-3660																			

SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST

LEGEND

ORB = OFFICIAL RECORD BOOK
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SECTION 36/43/42 = SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST

SURVEYOR'S REPORT (CONTINUED)

I HAVE REVIEWED THE CHICAGO TITLE INSURANCE COMPANY, TITLE COMMITMENT FILE NO: 201511002, WITH AN EFFECTIVE DATE OF DECEMBER 19, 2016 @ 11:45 AM, ISSUED BY SOUTHEAST GUARANTY & TITLE, INC. AND ALL SURVEY RELATED ENCUMBRANCES IDENTIFIED IN THE POLICIES SCHEDULE B SECTION II ARE SHOWN ON THIS SURVEY AND/OR ARE NOTED BELOW.

5. RESOLUTION FIXING SETBACKS RECORDED IN DEED BOOK 1145, PAGE 510. (NOT PLOTTED)

6. EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 8777, PAGE 275. (PLOTTED)

7. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8939, PAGE 1551. (PLOTTED)

NOTE: ALL RECORDING REFERENCES CONTAINED HEREIN ARE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

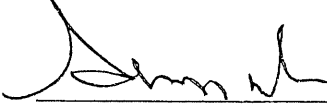
COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.00003845
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS IS NOT A SURVEY

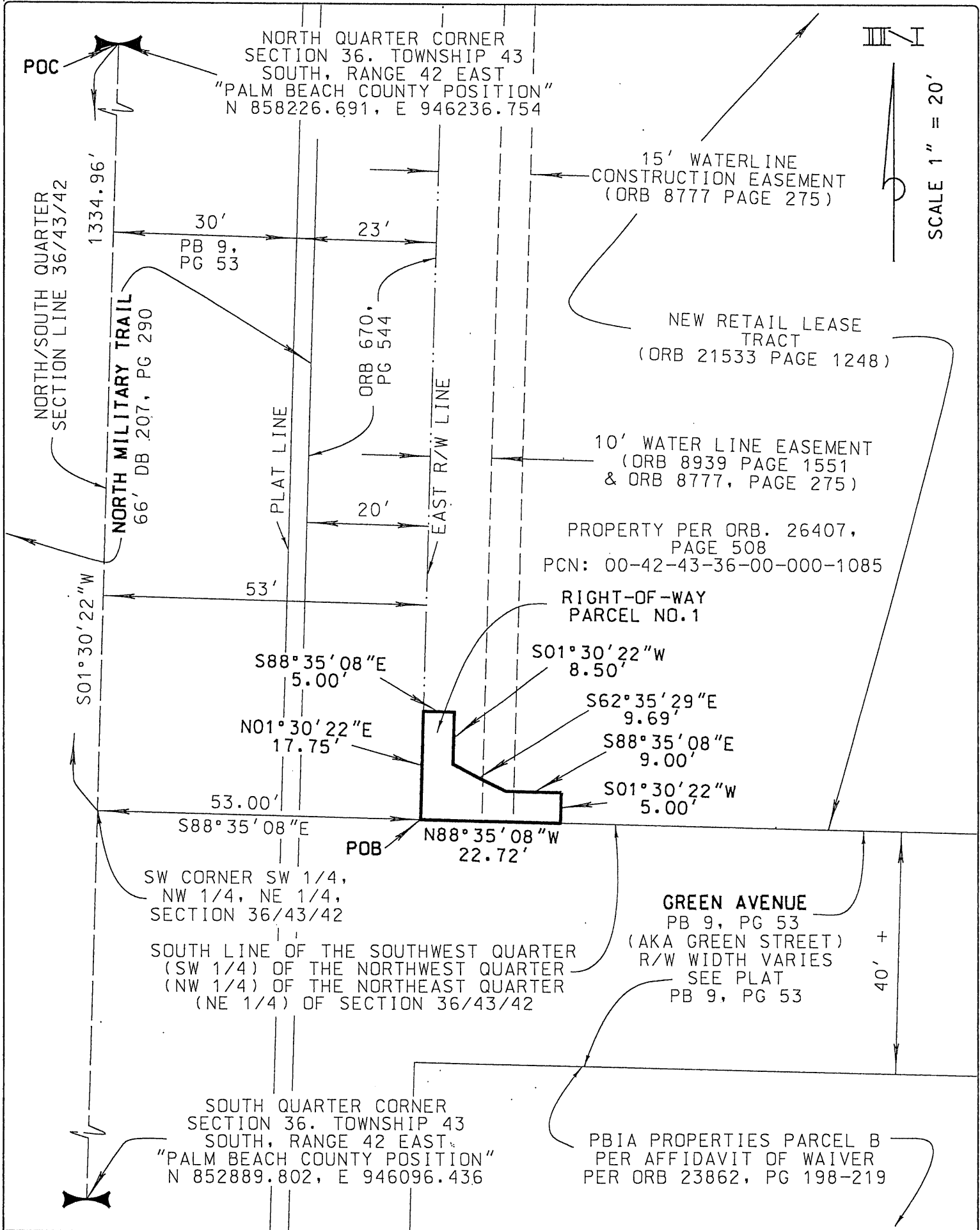
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304


DATE



III I
SCALE 1" = 20'

EXHIBIT "A"
RIGHT-OF-WAY PARCEL NO. 2

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I HAVE REVIEWED THE CHICAGO TITLE INSURANCE COMPANY, TITLE COMMITMENT FILE NO: 201704004, WITH AN EFFECTIVE DATE OF APRIL 3, 2017 @ 08:00 AM, ISSUED BY SOUTHEAST GUARANTY & TITLE, INC. AND ALL SURVEY RELATED ENCUMBRANCES IDENTIFIED IN THE POLICIES SCHEDULE B SECTION II ARE SHOWN ON THIS SURVEY AND/OR ARE NOTED BELOW.

5. EASEMENT AGREEMENT BY AND BETWEEN MARILYN K. FARR AND LATIMER FARR AND GENUINE AUTO PARTS COMPANY IN OFFICIAL RECORDS BOOK 8703, PAGE 1294. (PLOTTED)

6. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8899, PAGE 20. (PLOTTED)

7. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8939, PAGE 1551. (NOT APPLICABLE)

NOTE: ALL RECORDING REFERENCES CONTAINED HEREIN ARE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

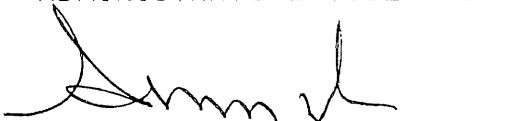
COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.00003845
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

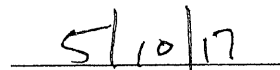
THIS IS NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

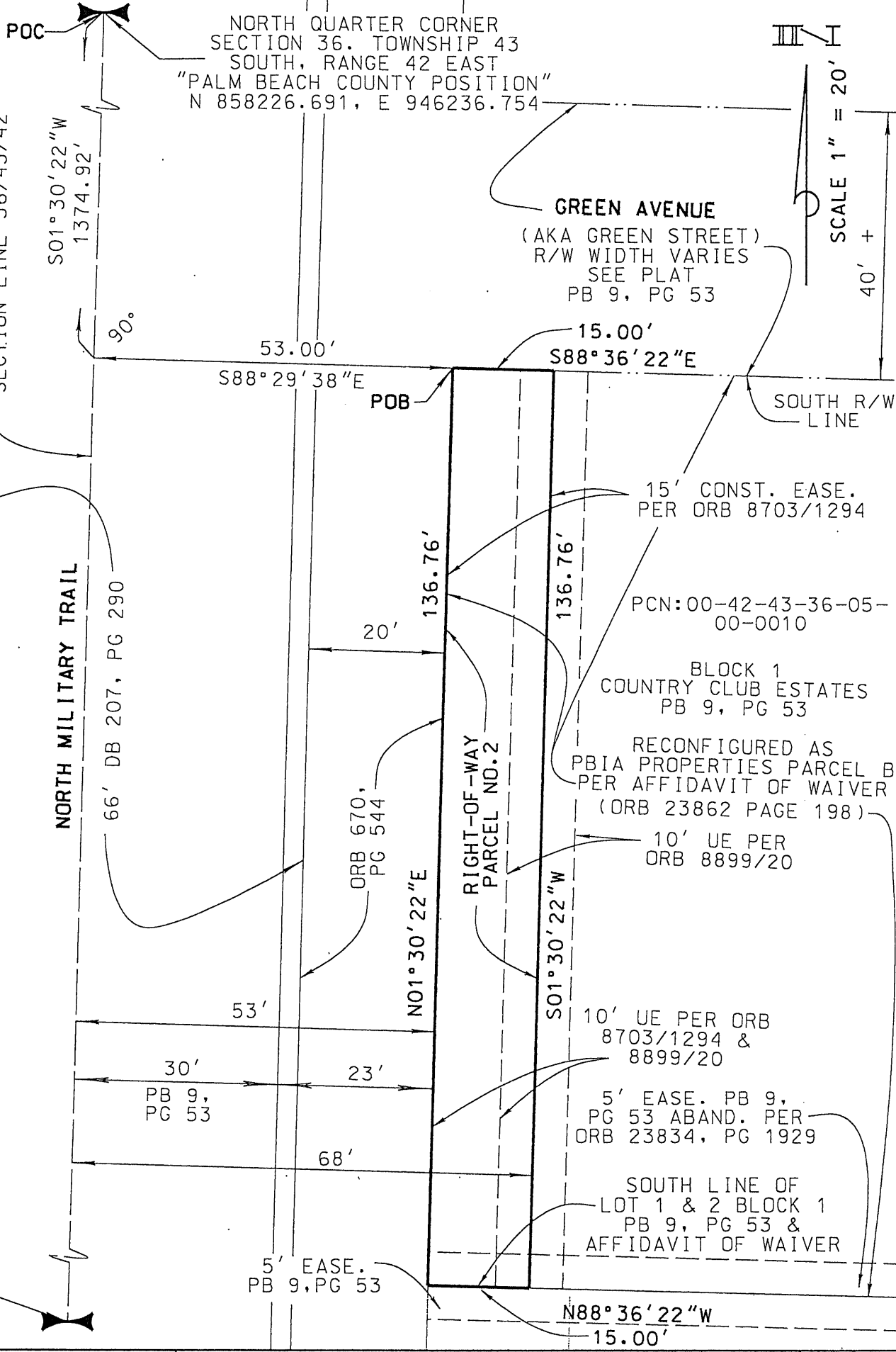
I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304



DATE



3

RESOLUTION NO. 2017-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; PROVIDING FOR AUTHORIZATION TO CONVEY CERTAIN COUNTY-OWNED REAL PROPERTY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); AUTHORIZING THE COUNTY MAYOR TO EXECUTE THE COUNTY DEED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County ("County"), by and through its Department of Airports, is completing improvements at a portion of the Palm Beach International Airport ("Airport") known as the "Golfview Area"; and

WHEREAS, part of the Golfview Area improvements include roadway and intersection improvements for State Road 809 (Military Trail), which is a roadway maintained by the State of Florida Department of Transportation, an agency of the State of Florida ("FDOT"); and

WHEREAS, County is required to obtain a permit from FDOT in order to construct the roadway and intersection improvements; and

WHEREAS, as a condition of the permit, FDOT requires the donation of certain real property, consisting of two (2) parcels totaling approximately 0.0516 acres, as more particularly described in the County Deed attached hereto as Attachment "1" (the "Property"), for roadway purposes; and

WHEREAS, pursuant to Florida Statutes Section 270.11, FDOT has requested that such Property be conveyed without phosphate, minerals, metals and petroleum rights reservation, and without the rights of entry and exploration relating to phosphate, minerals, metals and petroleum rights because FDOT requires the Property to be free and clear, without encumbrances which could impede the use of the Property for roadway purposes; and

WHEREAS, as a condition of releasing the Property from the terms, conditions and obligations of existing grant assurances pertaining to the Airport by the Federal Aviation Administration ("FAA"), the FAA requires that any conveyance be subject to certain easements, covenants and restrictions (the "Declaration"), as set forth in the County Deed attached hereto; and

WHEREAS, pursuant to Florida Statutes Section 125.38, the Board of County Commissioners of Palm Beach County hereby finds that the aforementioned use constitutes a use for the community interest and welfare; such real property is required for such use; and such real property is not needed for County purposes; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby agrees to convey such property to FDOT subject to the Declaration, and without reservation, and without the rights of entry and exploration relating to phosphate, minerals, metals and petroleum rights; and

WHEREAS, the Board of County Commissioners has determined that execution of the County Deed is in the best interest of the citizens and residents of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Authorization to Convey Real Property

The Board of County Commissioners of Palm Beach County shall without charge, and by County Deed in the form attached hereto as Attachment "1", and incorporated herein by reference, convey to FDOT, for roadway purposes, the real property legally described in such County Deed, subject to the Declaration, and without phosphate, minerals, metals and petroleum rights reservation, and without the rights of entry and exploration relating to phosphate, minerals, metals and petroleum rights.

Section 3. Authorization for Mayor to Execute County Deed

The Board of County Commissioners of Palm Beach County authorizes the County Mayor to execute the County Deed pursuant to this Resolution.

Section 4. Effective Date

The provisions of this Resolution shall be effective immediately upon adoption hereof.

(Remainder of page intentionally left blank)

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 Paulette Burdick, Mayor -
- Commissioner Melissa McKinlay, Vice Mayor -
- Commissioner Hal R. Valeche -
- Commissioner Dave Kerner -
- Commissioner Steven L. Abrams -
- Commissioner Mary Lou Berger -
- Commissioner Mack Bernard -

The Mayor thereupon declared the resolution duly passed and adopted this _____ day of _____, 20____.

PALM BEACH COUNTY, a political
subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

Attachment "1"

COUNTY DEED

4

PREPARED BY AND RETURN TO:
Laura Beebe, Deputy Director
Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406

PCN: (portion) 00-42-43-36-00-000-1085
and 00-42-43-36-05-000-0010

COUNTY DEED

This COUNTY DEED, made _____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791, "County", and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, whose legal mailing address is 3400 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 "Department".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) to it in hand paid by Department, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to Department, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See EXHIBIT "A" attached hereto and made a part hereof (the "Property").

By accepting title and utilizing the Property, Department acknowledges and agrees to the conditions and restrictions imposed herein, which shall be binding and enforceable against Department and its assigns to the same extent as if such party had physically executed this instrument.

County does hereby declare that the Property is and shall be held, transferred, sold, conveyed and occupied without phosphate, minerals, metals and petroleum rights reservation, and without the rights of entry and exploration relating to phosphate, minerals, metals and petroleum rights, and shall be subject to the covenants, restrictions and easements hereinafter set forth, which shall constitute covenants running with the land and will be binding on all parties having any right, title or interest in the Property (the "Declaration"):

(A) County reserves unto itself, its successors and assigns, for the use and benefit of the public and the Palm Beach International Airport (the "Airport") a right of flight for the passage of aircraft in the airspace above the surface of the Property, together with the right to cause in said airspace such noise as may be inherent in the operations of aircraft, now known or hereafter used, for navigation of or flight in said airspace, for use of said airspace for landing on, or taking off from or operating on the Airport.

(B) Department expressly agrees for itself, its successors and assigns to restrict the height of structures, objects of natural growth and other obstructions on the Property to such a height so as to comply with Federal Aviation Regulations, Part 77, as now or hereafter amended. Objects of natural growth include, without limitation, trees and other vegetation.

(C) Department expressly agrees for itself, its successors and assigns to prevent any use of the Property which would interfere with the landing or takeoff of aircraft at the Airport or interfere with air navigation and/or communication facilities serving the Airport, or otherwise constitute an airport hazard.

(D) Department expressly agrees for itself, its successors and assigns that the Property shall only be used for purposes that are compatible with noise levels generated by aircraft using the Airport.

(E) In order to ensure the perpetual nature of the easements, covenants and restrictions contained in this Declaration, Department expressly agrees for itself, its successors and assigns that the restrictions contained in this Declaration shall be referenced in any subsequent instruments of conveyance granting an interest in the Property, including, without limitation, deeds and grants of easement interests. The recording book and page of record of this Declaration shall be included in all instruments of conveyance granting an interest in the Property.

(F) The easements created and reserved 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 Property upon the conveyance thereof by Department.

(G) Department expressly agrees for itself, its successors and assigns, to be bound by and to observe and comply with all restrictions, covenants, conditions and obligations contained herein. "Successors and assigns" as used herein, includes, without limitation, invitees, permittees and others who may use or be upon the Property, and/or their respective officers, agents and employees.

(H) If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions hereof. All such other provisions shall continue unimpaired in full force and effect.

(I) The provisions of this Declaration may be amended only by written instrument executed by County and any amendments shall be subject to approval of the FAA.

(Remainder of page intentionally left blank)

IN WITNESS WHEREOF, County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice Mayor of said Board, the day and year aforesaid.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Paulette Burdick, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

EXHIBIT "A"

Two (2) Parcels of Land Identified as Follows:

RIGHT OF WAY PARCEL NO. 1

(See Palm Beach County Engineering Services Drawing No. S-1-15-3660)

and

RIGHT OF WAY PARCEL NO. 2

(See Palm Beach County Engineering Services Drawing No. S-1-15-3665)

EXHIBIT "A"
RIGHT-OF-WAY PARCEL NO. 1

A PARCEL OF LAND FOR RIGHT-OF-WAY PURPOSES BEING A PORTION OF THE LAND DESCRIBED IN OFFICIAL RECORD BOOK 26407, PAGE 508 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 36, A DISTANCE OF 1334.96 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (NE 1/4) OF SAID SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36, A DISTANCE OF 53.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS BEING A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE AND THE POINT OF BEGINNING. THENCE NORTH 01°30'22" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 17.75 FEET TO A LINE LYING 17.75 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 5.00 FEET TO A LINE LYING 58.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH 01°30'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 8.50 FEET; THENCE SOUTH 62°35'29" EAST, A DISTANCE OF 9.69 FEET TO A LINE LYING 5.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 9.00 FEET TO A LINE LYING 75.72 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH 01°30'22" WEST ALONG SAID PARALLEL LINE TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, A DISTANCE OF 5.00 FEET; THENCE NORTH 88°35'08" WEST ALONG SAID LINE, A DISTANCE OF 22.72 FEET TO SAID EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING.


SURVEYOR'S REPORT

SAID PARCEL CONTAINS 196 SQUARE FEET OR 0.0045 ACRES FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

PROJECT NO. 2015013-04	SHEET: 1 OF: 3	PROJECT: PBIA GOLFPVIEW INFRASTRUCTURE RIGHT-OF-WAY PARCEL NO. 1	SCALE: 1" = 20' APPROVED: G. W. M. DRAWN: S. T. A. CHECKED: W. L. F. DATE: 8/31/15 FIELD BOOK NO.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>REVISED CERT.</td> <td>S.T.</td> <td>7/25/15</td> </tr> <tr> <td>2</td> <td>REVISED LEGAL</td> <td>SWM</td> <td>8/11/15</td> </tr> <tr> <td>3</td> <td>ADDED TITLE</td> <td>SWM</td> <td>8/17/15</td> </tr> </tbody> </table>	NO.	REVISION	BY	DATE	1	REVISED CERT.	S.T.	7/25/15	2	REVISED LEGAL	SWM	8/11/15	3	ADDED TITLE	SWM	8/17/15	 <p> PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411 </p>
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3	ADDED TITLE	SWM	8/17/15																		
		DESIGN FILE NAME S-1-15-3660.DGN																			
		DRAWING NO. S-1-15-3660																			

SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST

LEGEND

ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
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POC = POINT OF COMMENCEMENT
SECTION 36/43/42 = SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST

SURVEYOR'S REPORT (CONTINUED)

I HAVE REVIEWED THE CHICAGO TITLE INSURANCE COMPANY, TITLE COMMITMENT FILE NO: 201511002, WITH AN EFFECTIVE DATE OF DECEMBER 19, 2016 @ 11:45 AM, ISSUED BY SOUTHEAST GUARANTY & TITLE, INC. AND ALL SURVEY RELATED ENCUMBRANCES IDENTIFIED IN THE POLICIES SCHEDULE B SECTION II ARE SHOWN ON THIS SURVEY AND/OR ARE NOTED BELOW.

5. RESOLUTION FIXING SETBACKS RECORDED IN DEED BOOK 1145, PAGE 510. (NOT PLOTTED)

6. EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 8777, PAGE 275. (PLOTTED)

7. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8939, PAGE 1551. (PLOTTED)

NOTE: ALL RECORDING REFERENCES CONTAINED HEREIN ARE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

COORDINATES SHOWN ARE GRID
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304



DATE

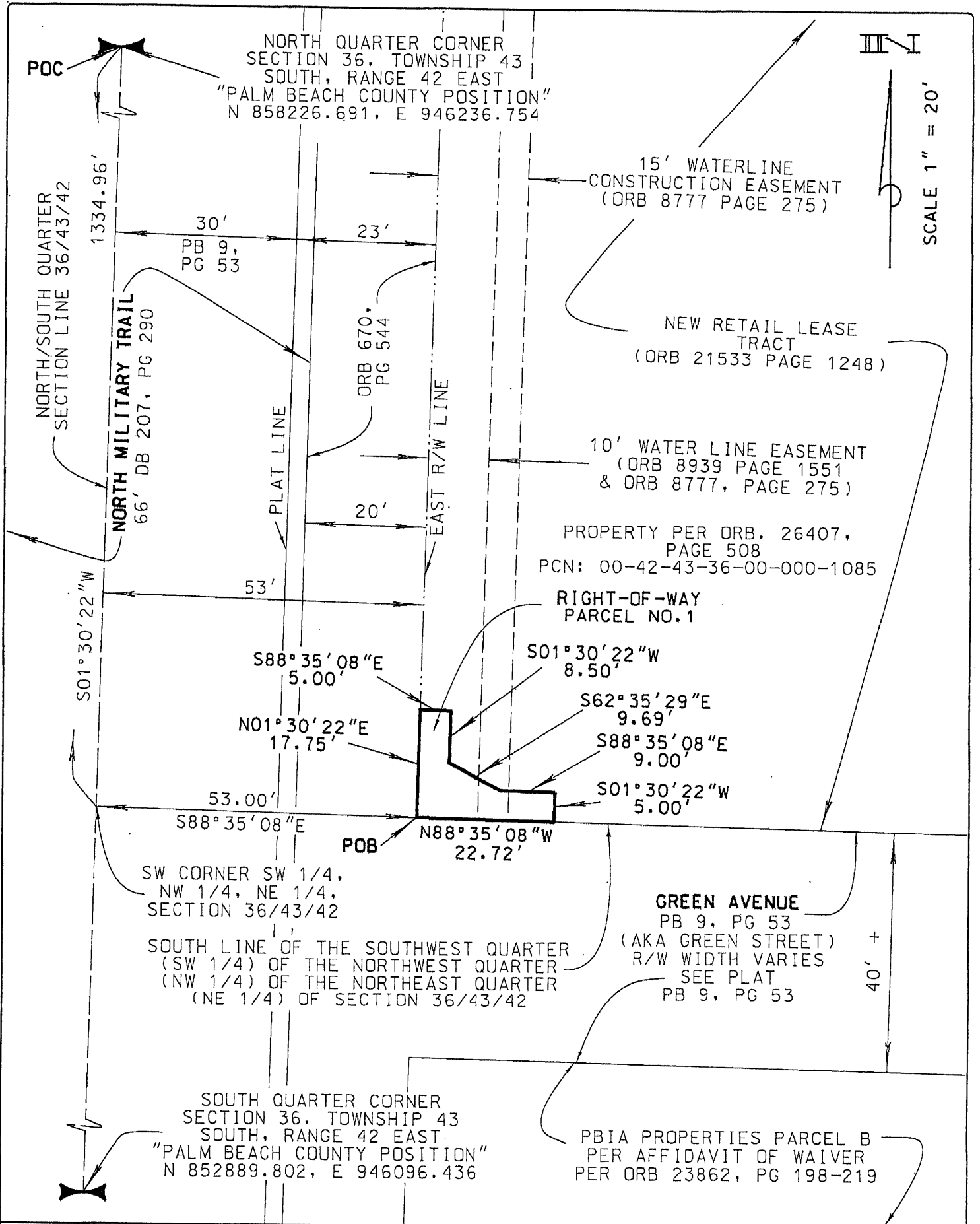


EXHIBIT "A"
RIGHT-OF-WAY PARCEL NO. 2

A PARCEL OF LAND 15.00 FEET IN WIDTH FOR RIGHT-OF-WAY PURPOSES BEING A PORTION OF LOT 1 AND LOT 2, BLOCK 1 OF THE PLAT OF COUNTRY CLUB ESTATES, RECORDED IN PLAT BOOK 9, PAGE 53 AND AS RECONFIGURED AS PBIA PROPERTIES PARCEL B IN THE AFFIDAVIT OF WAIVER RECORDED IN OFFICIAL RECORD BOOK 23862, PAGE 198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 36, A DISTANCE OF 1374.92 FEET; THENCE SOUTH 88°29'38" EAST AT RIGHT ANGLES TO SAID NORTH/SOUTH QUARTER SECTION LINE, A DISTANCE OF 53.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS BEING THE POINT OF INTERSECTION OF A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE WITH THE SOUTH RIGHT-OF-WAY LINE OF GREEN AVENUE (AKA GREEN STREET) AS SHOWN ON SAID PLAT OF COUNTRY CLUB ESTATES AND THE POINT OF BEGINNING. THENCE SOUTH 88°36'22" EAST CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO A LINE LYING 68.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH 01°30'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 136.76 FEET TO THE SOUTH LINE OF SAID LOT 1 AND LOT 2, BLOCK 1 OF THE PLAT OF COUNTRY CLUB ESTATES AND AS RECONFIGURED BY SAID AFFIDAVIT OF WAIVER; THENCE NORTH 88°36'22" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 15.00 FEET TO SAID EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 BEING A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE NORTH 01°30'22" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 136.76 FEET TO SAID POINT OF INTERSECTION OF SAID PARALLEL LINE AND SAID SOUTH RIGHT-OF-WAY LINE OF GREEN AVENUE (AKA GREEN STREET) AS SHOWN ON SAID PLAT OF COUNTRY CLUB ESTATES AND THE POINT OF BEGINNING

SURVEYOR'S REPORT

SAID EASEMENT CONTAINS 2,051 SQUARE FEET OR 0.0471 ACRES FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.


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

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PROJECT NO. 2015013-04	SHEETS 3	SHEET 1
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PROJECT: PBIA GOLFVIEW INFRASTRUCTURE RIGHT-OF-WAY PARCEL NO.2	
DESIGN FILE NAME S-1-15-3665.DGN	DRAWING NO. S-1-15-3665

SCALE: 1" = 20'	NO.	REVISION	BY	DATE
APPROVED: G.W.M.	1	REVISED CERT.	S.T.	7/25/16
DRAWN: S.T.A.	2	ADDED TITLE	G.W.M.	5/10/17
CHECKED: W.L.F.				
DATE: 9/01/15				
DRAWN:				
FIELD BOOK NO.				

	<p style="text-align: center;">PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411</p>
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SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST

LEGEND

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SECTION 36/43/42 = SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST

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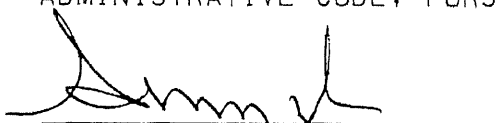
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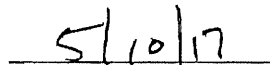
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

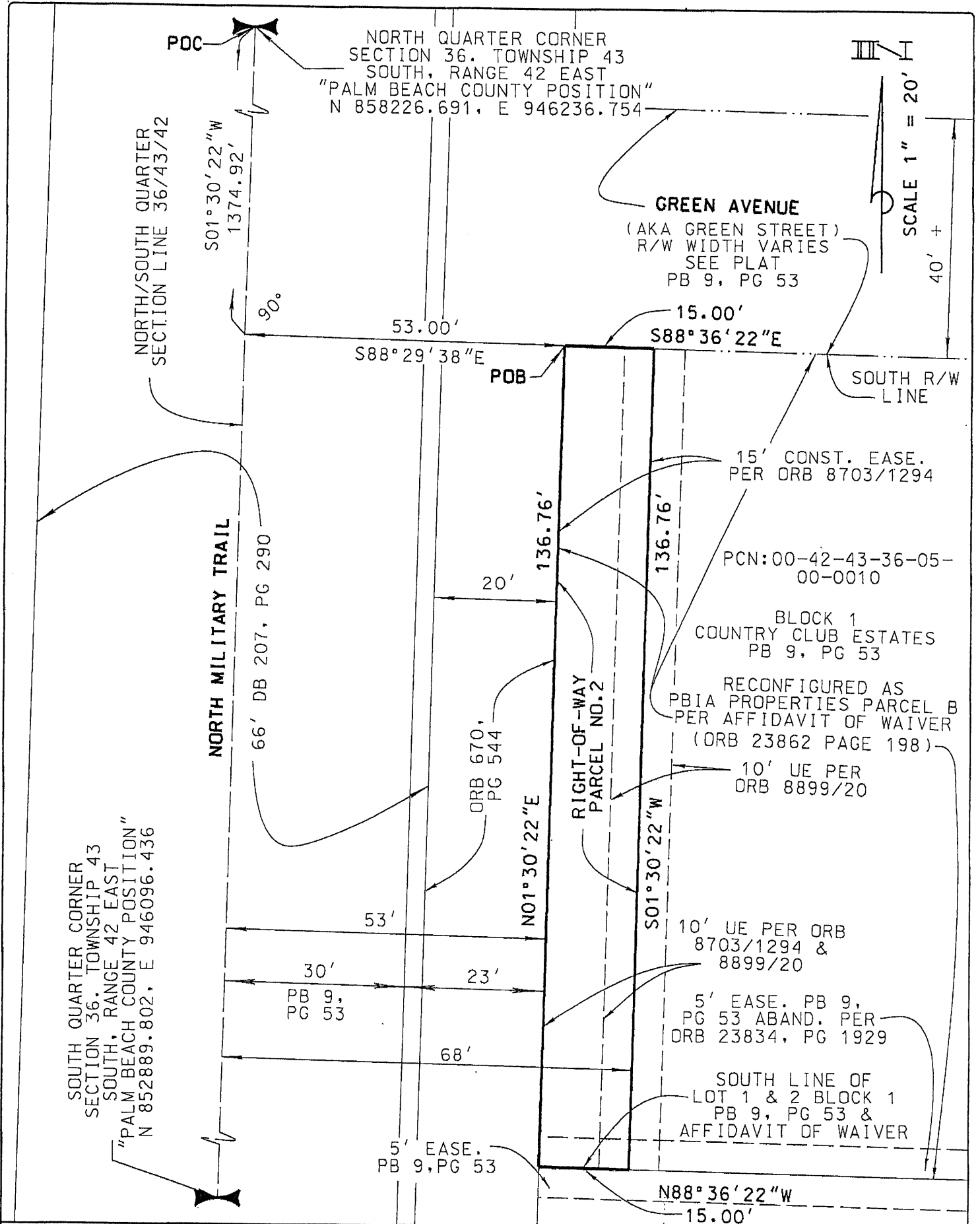
I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304



DATE



PREPARED BY AND RETURN TO:
Laura Beebe, Deputy Director
Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406

PCN: (portion) 00-42-43-36-00-000-1085
and 00-42-43-36-05-000-0010

COUNTY DEED

This COUNTY DEED, made _____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791, "County", and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, whose legal mailing address is 3400 W. Commercial Boulevard, Ft. Lauderdale, FL 33309 "Department".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) to it in hand paid by Department, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to Department, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See **EXHIBIT "A"** attached hereto and made a part hereof (the "Property").

By accepting title and utilizing the Property, Department acknowledges and agrees to the conditions and restrictions imposed herein, which shall be binding and enforceable against Department and its assigns to the same extent as if such party had physically executed this instrument.

County does hereby declare that the Property is and shall be held, transferred, sold, conveyed and occupied without phosphate, minerals, metals and petroleum rights reservation, and without the rights of entry and exploration relating to phosphate, minerals, metals and petroleum rights, and shall be subject to the covenants, restrictions and easements hereinafter set forth, which shall constitute covenants running with the land and will be binding on all parties having any right, title or interest in the Property (the "Declaration"):

(A) County reserves unto itself, its successors and assigns, for the use and benefit of the public and the Palm Beach International Airport (the "Airport") a right of flight for the passage of aircraft in the airspace above the surface of the Property, together with the right to cause in said airspace such noise as may be inherent in the operations of aircraft, now known or hereafter used, for navigation of or flight in said airspace, for use of said airspace for landing on, or taking off from or operating on the Airport.

(B) Department expressly agrees for itself, its successors and assigns to restrict the height of structures, objects of natural growth and other obstructions on the Property to such a height so as to comply with Federal Aviation Regulations, Part 77, as now or hereafter amended. Objects of natural growth include, without limitation, trees and other vegetation.

(C) Department expressly agrees for itself, its successors and assigns to prevent any use of the Property which would interfere with the landing or takeoff of aircraft at the Airport or interfere with air navigation and/or communication facilities serving the Airport, or otherwise constitute an airport hazard.

(D) Department expressly agrees for itself, its successors and assigns that the Property shall only be used for purposes that are compatible with noise levels generated by aircraft using the Airport.

(E) In order to ensure the perpetual nature of the easements, covenants and restrictions contained in this Declaration, Department expressly agrees for itself, its successors and assigns that the restrictions contained in this Declaration shall be referenced in any subsequent instruments of conveyance granting an interest in the Property, including, without limitation, deeds and grants of easement interests. The recording book and page of record of this Declaration shall be included in all instruments of conveyance granting an interest in the Property.

(F) The easements created and reserved 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 Property upon the conveyance thereof by Department.

(G) Department expressly agrees for itself, its successors and assigns, to be bound by and to observe and comply with all restrictions, covenants, conditions and obligations contained herein. "Successors and assigns" as used herein, includes, without limitation, invitees, permittees and others who may use or be upon the Property, and/or their respective officers, agents and employees.

(H) If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions hereof. All such other provisions shall continue unimpaired in full force and effect.

(I) The provisions of this Declaration may be amended only by written instrument executed by County and any amendments shall be subject to approval of the FAA.

(Remainder of page intentionally left blank)

IN WITNESS WHEREOF, County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice Mayor of said Board, the day and year aforesaid.

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

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

By: _____
Deputy Clerk

By: _____
Paulette Burdick, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

EXHIBIT "A"

Two (2) Parcels of Land Identified as Follows:

RIGHT OF WAY PARCEL NO. 1

(See Palm Beach County Engineering Services Drawing No. S-1-15-3660)

and

RIGHT OF WAY PARCEL NO. 2

(See Palm Beach County Engineering Services Drawing No. S-1-15-3665)

EXHIBIT "A"
RIGHT-OF-WAY PARCEL NO. 1

A PARCEL OF LAND FOR RIGHT-OF-WAY PURPOSES BEING A PORTION OF THE LAND DESCRIBED IN OFFICIAL RECORD BOOK 26407, PAGE 508 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 36, A DISTANCE OF 1334.96 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 36, A DISTANCE OF 53.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS BEING A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE AND THE POINT OF BEGINNING. THENCE NORTH 01°30'22" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 17.75 FEET TO A LINE LYING 17.75 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 5.00 FEET TO A LINE LYING 58.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH 01°30'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 8.50 FEET; THENCE SOUTH 62°35'29" EAST, A DISTANCE OF 9.69 FEET TO A LINE LYING 5.00 FEET NORTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36; THENCE SOUTH 88°35'08" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 9.00 FEET TO A LINE LYING 75.72 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH 01°30'22" WEST ALONG SAID PARALLEL LINE TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, A DISTANCE OF 5.00 FEET; THENCE NORTH 88°35'08" WEST ALONG SAID LINE, A DISTANCE OF 22.72 FEET TO SAID EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING.

SURVEYOR'S REPORT

SAID PARCEL CONTAINS 196 SQUARE FEET OR 0.0045 ACRES FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

PROJECT NO.
2015013-04

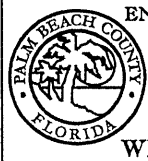
SHEET:
3

OF:
1

PROJECT: PBIA GOLFVIEW INFRASTRUCTURE RIGHT-OF-WAY PARCEL NO. 1	
<small>DESIGN FILE NAME</small> S-1-15-3660.DGN	<small>DRAWING NO.</small> S-1-15-3660

NO.	REVISION	BY	DATE
1	REVISED CERT.	S.T.A.	7/25/16
2	REVISED LEGAL	P.W.M.	9/17/16
3	ADDED TITLE	P.W.M.	5/10/17

SCALE: 1" = 20'
 APPROVED: G.W.M.
 DRAWN: S.T.A.
 CHECKED: W.L.F.
 DATE: 8/31/15
 FIELD BOOK NO.



**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**

ENGINEERING SERVICES

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411

SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST

LEGEND

ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
SECTION 36/43/42 = SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST

SURVEYOR'S REPORT (CONTINUED)

I HAVE REVIEWED THE CHICAGO TITLE INSURANCE COMPANY, TITLE COMMITMENT FILE NO: 201511002, WITH AN EFFECTIVE DATE OF DECEMBER 19, 2016 @ 11:45 AM, ISSUED BY SOUTHEAST GUARANTY & TITLE, INC. AND ALL SURVEY RELATED ENCUMBRANCES IDENTIFIED IN THE POLICIES SCHEDULE B SECTION II ARE SHOWN ON THIS SURVEY AND/OR ARE NOTED BELOW.

5. RESOLUTION FIXING SETBACKS RECORDED IN DEED BOOK 1145, PAGE 510. (NOT PLOTTED)

6. EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 8777, PAGE 275. (PLOTTED)

7. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8939, PAGE 1551. (PLOTTED)

NOTE: ALL RECORDING REFERENCES CONTAINED HEREIN ARE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.00003845
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

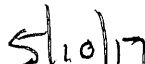
THIS IS NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304



DATE

NORTH QUARTER CORNER
SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"
N 858226.691, E 946236.754

III I

SCALE 1" = 20'

POC

NORTH/SOUTH QUARTER
SECTION LINE 36/43/42

1334.96'

NORTH MILITARY TRAIL
66' DB 207, PG 290

PB 9,
PG 53

30'

ORB 670,
PG 544

23'

15' WATERLINE
CONSTRUCTION EASEMENT
(ORB 8777 PAGE 275)

NEW RETAIL LEASE
TRACT
(ORB 21533 PAGE 1248)

10' WATER LINE EASEMENT
(ORB 8939 PAGE 1551
& ORB 8777, PAGE 275)

PROPERTY PER ORB. 26407,
PAGE 508
PCN: 00-42-43-36-00-000-1085

RIGHT-OF-WAY
PARCEL NO. 1

S01°30'22"W

S88°35'08"E
5.00'

S01°30'22"W
8.50'

N01°30'22"E
17.75'

S62°35'29"E
9.69'

S88°35'08"E
9.00'

53.00'

S01°30'22"W
5.00'

S88°35'08"E

POB N88°35'08"W
22.72'

SW CORNER SW 1/4,
NW 1/4, NE 1/4,
SECTION 36/43/42

SOUTH LINE OF THE SOUTHWEST QUARTER
(SW 1/4) OF THE NORTHWEST QUARTER
(NW 1/4) OF THE NORTHEAST QUARTER
(NE 1/4) OF SECTION 36/43/42

GREEN AVENUE

PB 9, PG 53
(AKA GREEN STREET)
R/W WIDTH VARIES
SEE PLAT
PB 9, PG 53

40' +

SOUTH QUARTER CORNER
SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"
N 852889.802, E 946096.436

PBIA PROPERTIES PARCEL B
PER AFFIDAVIT OF WAIVER
PER ORB 23862, PG 198-219

EXHIBIT "A"
RIGHT-OF-WAY PARCEL NO. 2

A PARCEL OF LAND 15.00 FEET IN WIDTH FOR RIGHT-OF-WAY PURPOSES BEING A PORTION OF LOT 1 AND LOT 2, BLOCK 1 OF THE PLAT OF COUNTRY CLUB ESTATES, RECORDED IN PLAT BOOK 9, PAGE 53 AND AS RECONFIGURED AS PBIA PROPERTIES PARCEL B IN THE AFFIDAVIT OF WAIVER RECORDED IN OFFICIAL RECORD BOOK 23862, PAGE 198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 36, A DISTANCE OF 1374.92 FEET; THENCE SOUTH 88°29'38" EAST AT RIGHT ANGLES TO SAID NORTH/SOUTH QUARTER SECTION LINE, A DISTANCE OF 53.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 OF SAID PUBLIC RECORDS BEING THE POINT OF INTERSECTION OF A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE WITH THE SOUTH RIGHT-OF-WAY LINE OF GREEN AVENUE (AKA GREEN STREET) AS SHOWN ON SAID PLAT OF COUNTRY CLUB ESTATES AND THE POINT OF BEGINNING. THENCE SOUTH 88°36'22" EAST CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET TO A LINE LYING 68.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE SOUTH 01°30'22" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 136.76 FEET TO THE SOUTH LINE OF SAID LOT 1 AND LOT 2, BLOCK 1 OF THE PLAT OF COUNTRY CLUB ESTATES AND AS RECONFIGURED BY SAID AFFIDAVIT OF WAIVER; THENCE NORTH 88°36'22" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 15.00 FEET TO SAID EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 670, PAGE 544 BEING A LINE LYING 53.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH SAID NORTH/SOUTH QUARTER SECTION LINE; THENCE NORTH 01°30'22" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 136.76 FEET TO SAID POINT OF INTERSECTION OF SAID PARALLEL LINE AND SAID SOUTH RIGHT-OF-WAY LINE OF GREEN AVENUE (AKA GREEN STREET) AS SHOWN ON SAID PLAT OF COUNTRY CLUB ESTATES AND THE POINT OF BEGINNING

SURVEYOR'S REPORT

SAID EASEMENT CONTAINS 2,051 SQUARE FEET OR 0.0471 ACRES FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

PROJECT NO.
2015013-04

SHEET:
1


OF:
3

PROJECT: PBIA GOLFVIEW INFRASTRUCTURE RIGHT-OF-WAY PARCEL NO.2	
<small>DESIGN FILE NAME</small> S-1-15-3665.DGN	<small>DRAWING NO.</small> S-1-15-3665

NO.	REVISION	BY	DATE
1	REVISED CERT.	S.T.A.	7/25/15
2	ADDED TITLE	G.W.M.	5/10/17

SCALE: 1" = 20'
 APPROVED: G.W.M.
 DRAWN: S.T.A.
 CHECKED: W.L.F.
 DATE DRAWN: 9/01/15
 FIELD BOOK NO.

**PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS**



ENGINEERING SERVICES

**2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411**

SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST

LEGEND

ORB = OFFICIAL RECORD BOOK
DB = DEED BOOK
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
SBT&T = SOUTHERN BELL TELEPHONE & TELEGRAPH
SECTION 36/43/42 = SECTION 36, TOWNSHIP 43
SOUTH, RANGE 42 EAST

I HAVE REVIEWED THE CHICAGO TITLE INSURANCE COMPANY, TITLE COMMITMENT FILE NO: 201704004, WITH AN EFFECTIVE DATE OF APRIL 3, 2017 @ 08:00 AM, ISSUED BY SOUTHEAST GUARANTY & TITLE, INC. AND ALL SURVEY RELATED ENCUMBRANCES IDENTIFIED IN THE POLICIES SCHEDULE B SECTION II ARE SHOWN ON THIS SURVEY AND/OR ARE NOTED BELOW.

5. EASEMENT AGREEMENT BY AND BETWEEN MARILYN K. FARR AND LATIMER FARR AND GENUINE AUTO PARTS COMPANY IN OFFICIAL RECORDS BOOK 8703, PAGE 1294. (PLOTTED)

6. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8899, PAGE 20. (PLOTTED)

7. EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 8939, PAGE 1551. (NOT APPLICABLE)

NOTE: ALL RECORDING REFERENCES CONTAINED HEREIN ARE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

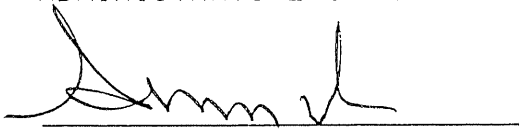
COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.00003845
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

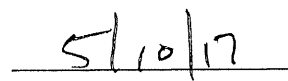
THIS IS NOT A SURVEY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

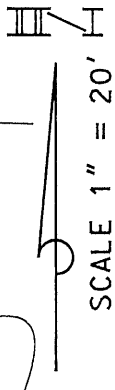


GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304



DATE

NORTH QUARTER CORNER
SECTION 36. TOWNSHIP 43
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"
N 858226.691, E 946236.754



GREEN AVENUE
(AKA GREEN STREET)
R/W WIDTH VARIES
SEE PLAT
PB 9, PG 53

NORTH/SOUTH QUARTER
SECTION LINE 36/43/42

S01°30'22"W
1374.92'

90°

53.00'
S88°29'38"E

15.00'
S88°36'22"E

SOUTH R/W
LINE

15' CONST. EASE.
PER ORB 8703/1294

PCN:00-42-43-36-05-
00-0010

BLOCK 1
COUNTRY CLUB ESTATES
PB 9, PG 53

RECONFIGURED AS
PBIA PROPERTIES PARCEL B
PER AFFIDAVIT OF WAIVER
(ORB 23862 PAGE 198)

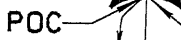
10' UE PER
ORB 8899/20

10' UE PER ORB
8703/1294 &
8899/20

5' EASE. PB 9,
PG 53 ABAND. PER
ORB 23834, PG 1929

SOUTH LINE OF
LOT 1 & 2 BLOCK 1
PB 9, PG 53 &
AFFIDAVIT OF WAIVER

N88°36'22"W
15.00'



NORTH MILITARY TRAIL

66' DB 207, PG 290

ORB 670,
PG 544

RIGHT-OF-WAY
PARCEL NO. 2

N01°30'22"E

S01°30'22"W

20'

136.76'

136.76'

53'

30'

23'

68'

PB 9,
PG 53

5' EASE.
PB 9, PG 53

SOUTH QUARTER CORNER
SECTION 36. TOWNSHIP 43
SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"
N 852889.802, E 946096.436