Agenda It	em #:	<u>48</u>	-2

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: August 15, 2017		[ ] Consent [ ] Workshop	[ ] Regular [X] Public Hearing	
Department: Submitted By: Submitted For: ========	Engineering	and Public Works and Public Works pment Division		

#### I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to:** adopt a Resolution **denying** the abandonment of any portion of the 60 foot wide right-of-way (ROW) for Balboa Lane, as recorded in the plat of Boca Del Mar No. 2, Plat Book 30, Page 80, Public Records of Palm Beach County, Florida; **or in the alternative** 

- A) approve a utility easement deed for the City of Boca Raton (City) for a portion of Balboa Lane; and
- B) adopt a resolution to abandon all of the 60 foot wide right-of-way (ROW) for Balboa Lane, as recorded in the plat of Boca Del Mar No. 2, Plat Book 30, Page 80, Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of the staff recommendation will deny the request by Penn Florida Club Properties, LLC (Club) to abandon the ROW. This application was scheduled for the July 11, 2017 Board of County Commissioners (BCC) public hearing but was continued due to a withdrawal of a required party's (Whitehall Condominium) consent to the application. Since staff has not received the required consent from the abutting property owner, the application fails to meet the Palm Beach County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance 2002-034) requirement that "any petition for abandonment of right-of-way shall be signed by all owners of abutting property", and is therefore subject to a recommendation of denial from staff.

If the BCC wishes to **approve** the Club's request to abandon the ROW, which would allow the Club to pursue redevelopment of the Boca Del Mar Clubhouse at Mizner Golf and Country Club, the alternative motions should be approved and adopted. The ROW currently functions as a secondary driveway for access to the clubhouse, the Whitehall Condominium Property and the golf course maintenance facilities. However, this access to Whitehall had been physically blocked to prevent vehicular access. The ROW is located west of Military Trail, south of Palmetto Park Road, east of Powerline Road and north of Camino Real. If approved, the petition to abandon the ROW is subject to a privilege fee of \$2,825.41. <u>District 4</u> (LBH)

Background and Policy Issues: Penn Florida Club Properties, LLC, (Club) has petitioned to remove the public's interest in the ROW, which is in conflict with the Club's (Continue on Page 3)

#### **Attachments:**

- 1. Location Sketch
- 2. Resolution Recommending Denial with Exhibit 'A' or
- 3. Resolution Recommending Approval with Exhibit 'A'
- 4. City of Boca Raton Utility Easement Deed with Exhibit 'A'

	=======================================	
		·
w	Recommended by 1 , W. Jul	7/31/17
	<b>♦ Department Director</b>	Date /
	Approved by: 740 Johnson	8/10/17
	Assistant County Administrator	Date

#### II. FISCAL IMPACT ANALYSIS

#### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$ -0-</u>		0-	-0-	-0-
<b>Operating Costs</b>	-0-	-0-	-0-	-0-	-0-
<b>External Revenues</b>	(\$2,826)		-0-	-0-	-0-
<b>Program Income (County)</b>	0-	-0-		-0-	-0-
In-Kind Match (County)	0-	-0-	-0-	-0-	0-
NET FISCAL IMPACT	(\$2,826)	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No

Budget Acct No.: Fund <u>3500</u> Dept. <u>800</u> Unit <u>8005</u> Rev Src <u>6425</u>

#### Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund Abandonment Ordinance Fees

If approved the petition is subject to a privilege fee of \$2,825.41.

C.	Departmental Fiscal Review:	. (	Ш	W	Koval	amen	
				7			

#### III. REVIEW COMMENTS

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

and	ahl	- 1/3,/1
131 /7/31	OFMB	

B. Approved as to Form and Legal Sufficiency:

: MAllinan

C. Other Department Review:

**Department Director** 

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

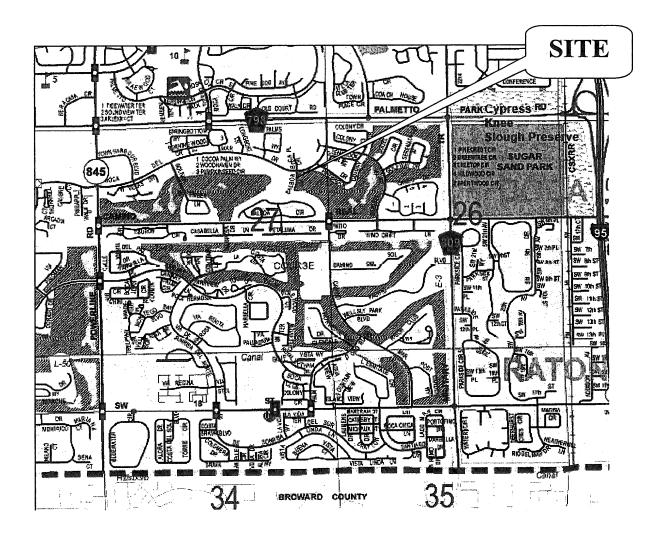
### **Background and Policy Issues: (Continued from Page 1)**

proposed plan to redevelop its property. As provided in Ordinance 2002-034, the Engineering Department advertised this petition for a public hearing on Sunday, June 25, 2017. Reviewing agencies and utility service providers are in support of the abandonment because a replacement utility easement covering a portion of the abandonment site would be provided to the City and would be recorded prior to the abandonment, should the abandonment be approved.

The day before the July 11, 2017 public hearing, the abutting property owner withdrew its previously submitted consent. The public hearing item was still opened for discussion but the BCC voted to continue the item until the next month to allow the abutting property owner and the Club time to resolve their issues. Whitehall Condominium's current position appears to be that it needs this ROW as an access point, despite having caused the access to be blocked to vehicular traffic for the past several years. Staff has not been notified of a resolution to this issue and does not have the required consent to recommend approval of this abandonment.

**Privilege Fee Statement:** If approved, the petition is subject to a privilege fee of \$2,825.41. The calculations are as follows:

Total sq. ft. of Right-of-Way for Balboa Lane (Petition Site)	33,699 sq. ft.
Less area for Utility Easements	-7,104sg. ft.
Total sq. ft. subject to Privilege Fee	26,595 sq. ft.
Average sq. ft. value of parcels abutting the right of way	\$ .208
Overall value	\$ 5,531.76
80% of value	\$ 4,425.41
Less Filing Fee	\$- 1,600 <i>.</i> 00
Total Privilege Fee	\$ 2,825.41
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# LOCATION SKETCH



N (Not to scale)

ABANDONMENT OF ALL OF THE 60 FOOT WIDE RIGHT-OF-WAY FOR BALBOA LANE, AS RECORDED IN THE PLAT OF BOCA DEL MAR NO. 2, PLAT BOOK 30, PAGE 80, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DENYING THE ABANDONMENT OF ANY PORTION OF THAT CERTAIN 60 FOOT WIDE RIGHT-OF-WAY FOR BALBOA LANE, AS RECORDED IN THE PLAT OF BOCA DEL MAR NO. 2, PLAT BOOK 30, PAGE 80, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners (BCC) of Palm Beach County, 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, known as the Palm Beach County Right-of-Way Abandonment and Plat Vacation Ordinance (Ordinance), and upon the petition of Penn Florida Club Properties, LLC, called a continuation of a July 11, 2017 public hearing to be held in the BCC Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on August 15, 2017, to consider whether the County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the public in and for any of that certain right-of-way (ROW) for Balboa Lane as recorded in the plat of Boca Del Mar No. 2, as set forth on the sketch and legal description set forth in Exhibit A attached hereto and incorporated herein by reference; and

**WHEREAS**, as provided in the Ordinance, notice of holding such hearing was duly published in the Palm Beach Post on June 25, 2017; and

WHEREAS, the BCC did commence the July 11, 2017, hearing as advertised but continued the public hearing to August 15, 2017 at 9:30 a.m., and determined that the petition does not comply with the Ordinance requirements for abandonment, and as such denied the petition for abandonment of the ROW.

# 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 ROW is not abandoned as a public right-of-way and the BCC hereby retains any and all right and interest of the Public in and to the ROW, more fully described in the legal description and sketch as shown in Exhibit A attached hereto and made a part hereof.
- 3. Notice of the adoption of this Resolution shall be published one time in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution as provided in the Ordinance.

(Remainder of page left intentionally blank)

### RESOLUTION NO. R-2017-\_\_\_\_

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
Onaron N. Book, Clark & Computation
BY:
Deputy Clerk
APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY:
County Attorney

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50

FAX:(561) 395-3315

#### LEGAL DESCRIPTION EXHIBIT A

BALBOA LANE R/W

ALL OF THE 60 FEET WIDE RIGHT-OF-WAY FOR BALBOA LANE, ACCORDING TO THE PLAT OF BOCA DEL MAR NO. 2, AS RECORDED IN PLAT BOOK 30, PAGE 80, OF THE PUBLIC RECORDS OF PALM BEACH, COUNTY, FLORIDA. CONTAINING 33,699 SQUARE FEET, OR 0.7736 ACRES, MORE OR LESS.

INDEX	SHEETS
LEGAL DESCRIPTION	. 1
LEGAL MISCELLANEOUS	2
LEGEND & NOTES	3
GENERAL NOTES	· <b>4</b>
SKETCH	5
STATE PLANE INFO	6

NOTE: SEE SHEETS 2-6 FOR ADDITIONAL INFORMATION

I HEREBY CERTIFY: THIS SKETCH OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED UNDER MY DIRECTION, AND CONFORMS TO STANDARDS OF PRACTICE AS FLORIDA BOARD OF SET FORTH BY THE **PROFESSIONAL SURVEYORS** LAND 5J17, IN CHAPTER ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

#### THIS IS NOT A SURVEY!

Drawn By: TFL Date: 06-21-16

Checked By: WKG F.B. N/A Pg.

Scale: N/A Job No.: JG7168

Sheet <u>1</u> of <u>6</u> Revised: 12/08/16

PROFESSIONAL RUMNO SURVEYOR

AND MAPPERS NO. 10 16939 STATE OF FLORIDA

Drawing:K:\JG7168\BOCA DEL MAR\CAD FILES\JG7168 — ABANDONMENT — DECEMBER 2016.dwg\1 — LEGAI

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

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FAX:(561) 395-3315

#### LEGAL DESCRIPTION EXHIBIT A

ADJACENT CLUBHOUSE PROPERTY

BOCA DEL MAR NO. 2 CLUBHOUSE SITE

PALM BEACH COUNTY ORB 24627, PAGE 1416
PALM BEACH COUNTY TAX ID NO. 00-42-47-27-02-000-0010

ADJACENT GOLF COURSE PROPERTY

BOCA DEL MAR NO. 2 GOLF COURSE

PALM BEACH COUNTY ORB 24269, PAGE 0345

PALM BEACH COUNTY TAX ID NO. 00-42-47-26-02-004-0000

ADJACENT CONDOMINIUM PROPERTY

BOCA DEL MAR NO. 3 PLAT

PALM BEACH COUNTY ORB 05907, PAGE 1932

PALM BEACH COUNTY PLAT BOOK 30, PAGE 82

PALM BEACH COUNTY TAX ID NO. 00-42-47-27-03-047-0010

TITLE COMMITMENT

CHICAGO TITLE INSURANCE COMPANY

FILE #: 6122476 **EFFECTIVE DATE:** 

NOVEMBER 6, .2016 AT 6:00 AM

#### THIS IS NOT A SURVEY !

Date: 06-21-16 Drawn By: TFL

Checked By: WKG F.B. N/A Pg.

Scale: N/A Job No.: <u>JG7168</u>

Sheet 2 of 6 Revised: 12/08/16 NOTE: SEE SHEETS 1 & 3-6 FOR ADDITIONAL INFORMATION

Page 3 of 6

## JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

33431

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

#### LEGEND AND NOTES EXHIBIT A LEGEND. **ALUM** = Aluminum PB = Plat Book Calculated **PBC** = Palm Beach County CATV = Cable Television **PBCR** Palm Beach County Riser Records CL = Center Line PG Page CI = Curb Inlet PL Property Line CM = Concrete Monument POB = Point of Beginning CONC = Concrete POC = Point of Commencing CPP = Concrete Power Pole PP = Power Pole **D**\* = Per Deed **PSM** = Professional Surveyor Ε = East and Mapper **ESMT** Easement PRM = Premanent Reference **ELEV** = Elevation Monument. FB = Field Book PUD Planned Unit Development FH = Fire Hydrant R/W = Right-of-Way FND = Found RGE = Range FPL = Florida Power & Light S = South **GLM** = Gas Line Marker = Storm Drainage Manhole SDMH GV = Gate Valve SEC = Section ID = Identification Number **TWP** Township IP = Iron Pipe UE Utility Easement IR = Iron Rod W West **IRC** = Iron. Rod & **WPP** Wood Power Pole Plastic Cap Spot Elevation LB = Licensed Business LP = Light Pole (\*) SEE SURVEY NOTES N = North NO. Number ORB = Official Record Book

### THIS IS NOT A SURVEY !

= Plat

Drawn By: TFL Date: 06-21-16 Checked By: WKG F.B. N/A Pg. Scale: N/A Job No.: JG7168 Sheet 3 of 6 Revised: 12/08/16

NOTE: SEE SHEETS 1-2 & 4-6 FOR ADDITIONAL INFORMATION

- DECEMBER 2016.dwg\3

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

33431

PHONE:(561) 395-3333 LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

**GENERAL NOTES** 

NOTE:

EXHIBIT A

THE BOCA DEL MAR PLAT AS RECORDED IN PLAT BOOK 30, PAGES 80-81 IS INCORPORATED IN ITS' ENTIRETY AS PART OF THIS DOCUMENT.

BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON EAST R/W LINE OF BALBOA LANE HAVING A BEARING OF N 00°30'12" E

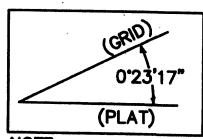
BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES (FL EAST ZONE - 0901) PER PUBLISHED VALUES FROM THE PALM BEACH COUNTY ENGINEERING DEPARTMENT.

INSTRUMENTS OF RECORD SHOWN HEREON REFER TO THOSE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA UNLESS NOTED OTHERWISE.

EASEMENTS SHOWN HEREON ARE PER PLAT UNLESS NOTED OTHERWISE.

#### NOTE:

- A. COORDINATES SHOWN ARE GRID
- B. DATUM = 1993 NAD 83, 1990 ADJUSTMENT
- C. ZONE = FLORIDA EAST
- D. LINEAR UNITS = U.S. SURVEY FOOT
- E. COORDINATE SYSTEM: 1983 STATE PLANE TRAVERSE MERCATOR PROJECTION
- F. ALL DISTANCES ARE GROUND
- G. PROJECT SCALE FACTOR = SF = 1.000032
- H. GROUND DISTANCE X SF = GRID DISTANCE



NOTE: GRID VS. PLAT CONVERSION

#### THIS IS NOT A SURVEY!

Drawn By: TFL Date: 06-21-16 Checked By: WKG F.B. N/A Pg. Scale: N/A Job No.: JG7168

Sheet 4 of 6

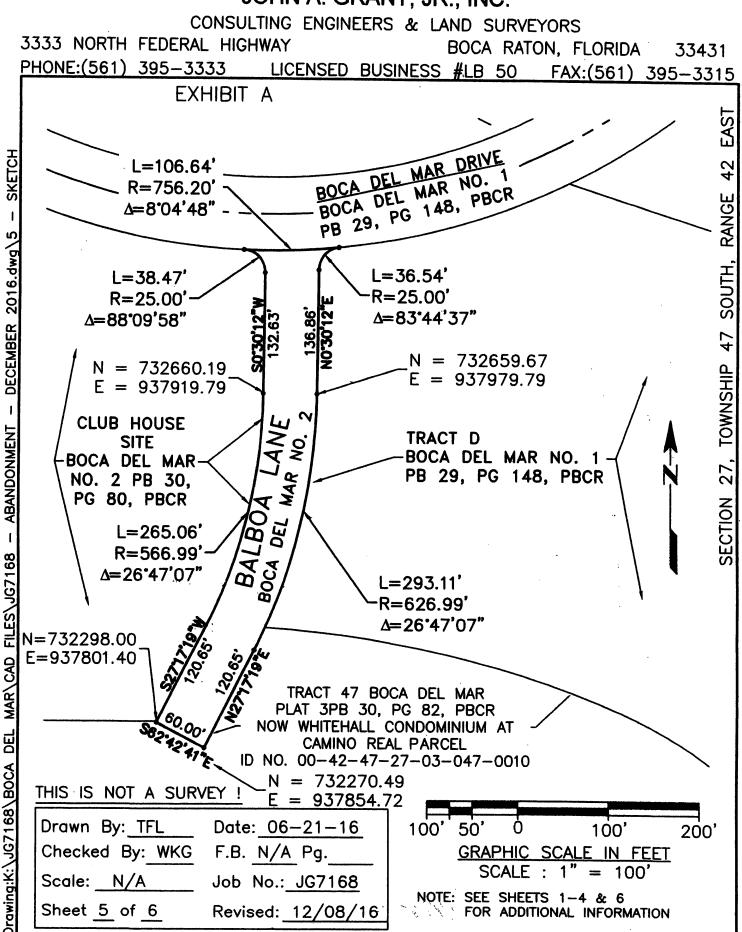
Revised: 12/08/16

NOTE: SEE SHEETS 1-3 & 5-6 FOR ADDITIONAL INFORMATION

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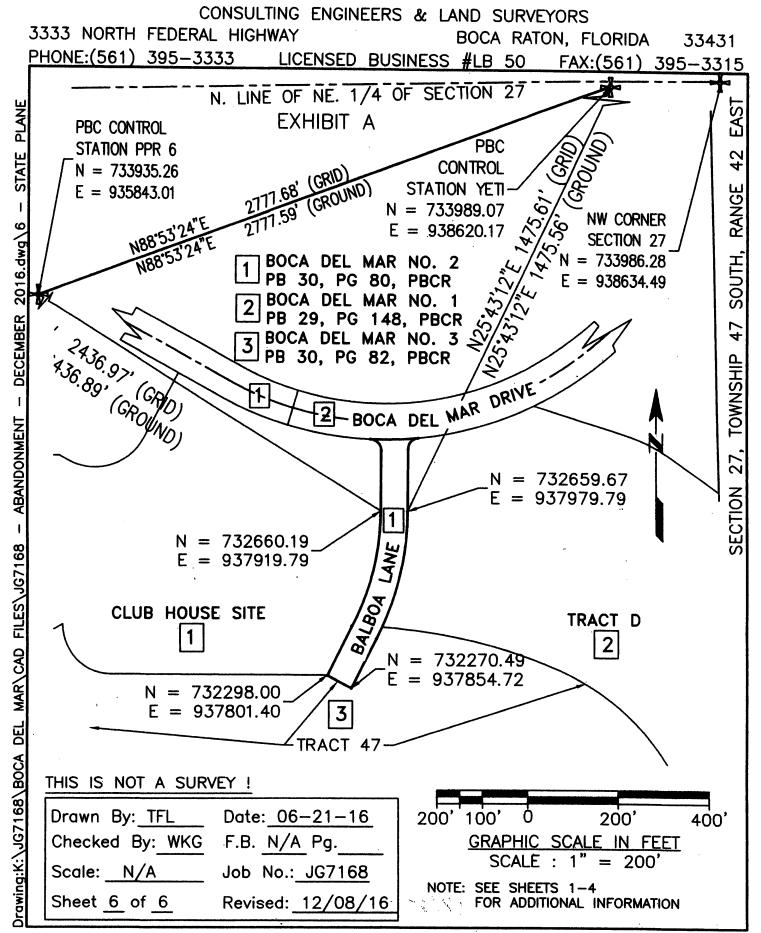
Page 5 of 6

### JOHN A. GRANT, JR., INC.



Page 6 of 6

### JOHN A. GRANT, JR., INC.



TO ANY COMMENT

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ALL OF THAT CERTAIN 60 FOOT WIDE RIGHT-OF-WAY FOR BALBOA LANE, AS RECORDED IN THE PLAT OF BOCA DEL MAR NO. 2, PLAT BOOK 30, PAGE 80, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners (BCC) of Palm Beach County, 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, known as the Palm Beach County Right-of-Way Abandonment and Plat Vacation Ordinance (Ordinance), and upon the petition of Penn Florida Club Properties, LLC, called a continuation of a July 11, 2017 public hearing to be held in the BCC Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on August 15, 2017, to consider whether the County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the public in and for all of that certain right-of-way (ROW) for Balboa Lane as recorded in the plat of Boca Del Mar No. 2, as set forth on the sketch and legal description set forth in Exhibit A attached hereto and incorporated herein by reference; and

**WHEREAS**, as provided in the Ordinance, notice of holding such hearing was duly published in the Palm Beach Post on June 25, 2017; and

**WHEREAS**, the BCC has executed a utility easement deed for the City of Boca Raton over a portion of the ROW being abandoned; and

WHEREAS, the BCC did commence the July 11, 2017, hearing as advertised but continued the hearing to August 15, 2017, and determined that the abandonment 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.

R	ES	OL	UTI	ON	NO.	<b>R-20</b>	17-	
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# 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 BCC has executed a utility easement deed over a portion of the ROW to be abandoned for the City of Boca Raton.
- 3. The ROW is hereby abandoned as a public right-of-way and the BCC does hereby renounce and disclaim any right or interest of the Public in and to the ROW, more fully described in the legal description and sketch as shown in Exhibit A attached hereto and made a part hereof.
- 4. Notice of the adoption of this Resolution shall be published one time in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution as provided in Ordinance 2002-034.

(Remainder of page left intentionally blank)

### RESOLUTION NO. R-2017\_\_\_\_\_

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
BY:
Deputy Clerk
APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY: County Attorney

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50

FAX:(561) 395-3315

### LEGAL DESCRIPTION EXHIBIT A

BALBOA LANE R/W

ALL OF THE 60 FEET WIDE RIGHT-OF-WAY FOR BALBOA LANE, ACCORDING TO THE PLAT OF BOCA DEL MAR NO. 2, AS RECORDED IN PLAT BOOK 30, PAGE 80, OF THE PUBLIC RECORDS OF PALM BEACH, COUNTY, FLORIDA. CONTAINING 33,699 SQUARE FEET, OR 0.7736 ACRES, MORE OR LESS.

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NOTE: SEE SHEETS 2-6 FOR ADDITIONAL INFORMATION

I HEREBY CERTIFY: THIS SKETCH OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED UNDER MY DIRECTION, AND CONFORMS TO THE RECENTLY SURVEYED UNDER STANDARDS OF PRACTICE AS MY DIRECTION, AND CONFORMS TO THE SET FORTH BY THE FLORIDA BOARD OF SURVEYORS 5J17, PROFESSIONAL LAND IN CHAPTER **FLORIDA** ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

#### THIS IS NOT A SURVEY !

Drawn By: TFL Date: 06-21-16

Checked By: WKG F.B. N/A Pg.

Scale: N/A Job No.: <u>JG7168</u>

Revised: 12/08/16 Sheet 1 of 6

THOMAS

PROFESSION ALORDAND SURVEYOR

AND MAPPERSNOW16939

STATE OF FLORIDA

MAR\CAD FILES\JG7168 - ABANDONMENT - DECEMBER 2016.dwg\1 Drawing:K:\JG7168\BOCA DEL

1,180 July

### CONSULTING ENGINEERS & LAND SURVEYORS

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PALM BEACH COUNTY ORB 24269, PAGE 0345

PALM BEACH COUNTY TAX ID NO. 00-42-47-26-02-004-0000

#### ADJACENT CONDOMINIUM PROPERTY

BOCA DEL MAR NO. 3 PLAT

PALM BEACH COUNTY ORB 05907, PAGE 1932 PALM BEACH COUNTY PLAT BOOK 30, PAGE 82

PALM BEACH COUNTY TAX ID NO. 00-42-47-27-03-047-0010

#### TITLE COMMITMENT

CHICAGO TITLE INSURANCE COMPANY

FILE #: 6122476

**EFFECTIVE DATE:** 

NOVEMBER 6, 2016 AT 6:00 AM

#### THIS IS NOT A SURVEY !

Drawn By: TFL Date: 06-21-16

Checked By: WKG F.B. N/A Pg.

Scale: N/A Job No.: JG7168

Sheet 2 of 6 Revised: 12/08/16 NOTE: SEE SHEETS 1 & 3-6 FOR ADDITIONAL INFORMATION

Page 3 of 6

# JOHN A. GRANT, JR., INC.

LEGEND AND NOTES

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

33431

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

#### EXHIBIT A **LEGEND ALUM** = Aluminum PB = Plat Book C Calculated **PBC** = Palm Beach County CATV Cable Television **PBCR** = Palm Beach County

Riser Records CL = Center Line PG = Page CI Curb Inlet

PL = Property Line CM Concrete Monument POB = Point of Beginning CONC = Concrete POC = Point of Commencing CPP

Concrete Power Pole PP = Power Pole **D**\* Per Deed = Professional Surveyor **PSM** Ε = East and Mapper

**ESMT** = Easement PRM Premanent Reference **ELEV** = Elevation Monument.

FB Field Book PUD = Planned Unit Development Fire Hydrant FH R/W = Right-of-Way

**FND** = Found RGE Range = Florida Power & Light FPL S South GLM = Gas Line Marker SDMH

= Storm Drainage Manhole GV = Gate Valve SEC = Section = Identification Number ID **TWP** Township

IP = Iron Pipe UE **Utility Easement** IR = Iron Rod W West **IRC** = Iron Rod & WPP Wood Power Pole

Plastic Cap Spot Elevation LB = Licensed Business

LP = Light Pole (\*) SEE SURVEY NOTES Ν North

NO. Number ORB Official Record Book

= Plat

- ABANDONMENT - DECEMBER 2016.dwg\3 - LEGEND

### THIS IS NOT A SURVEY !

Drawn By: TFL Date: 06-21-16 Checked By: WKG F.B. N/A Pg.

Scale: N/A Job No.: JG7168

Revised: 12/08/16 Sheet 3 of 6

NOTE: SEE SHEETS 1-2 & 4-6 FOR ADDITIONAL INFORMATION

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### **GENERAL NOTES**

NOTE:

EXHIBIT A

THE BOCA DEL MAR PLAT AS RECORDED IN PLAT BOOK 30, PAGES 80-81 IS INCORPORATED IN ITS' ENTIRETY AS PART OF THIS DOCUMENT.

BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON EAST R/W LINE OF BALBOA LANE HAVING A BEARING OF N 00°30'12" E

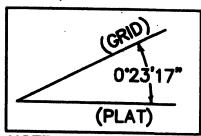
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INSTRUMENTS OF RECORD SHOWN HEREON REFER TO THOSE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA UNLESS NOTED OTHERWISE.

EASEMENTS SHOWN HEREON ARE PER PLAT UNLESS NOTED OTHERWISE.

#### NOTE:

- A. COORDINATES SHOWN ARE GRID
- B. DATUM = 1993 NAD 83, 1990 ADJUSTMENT
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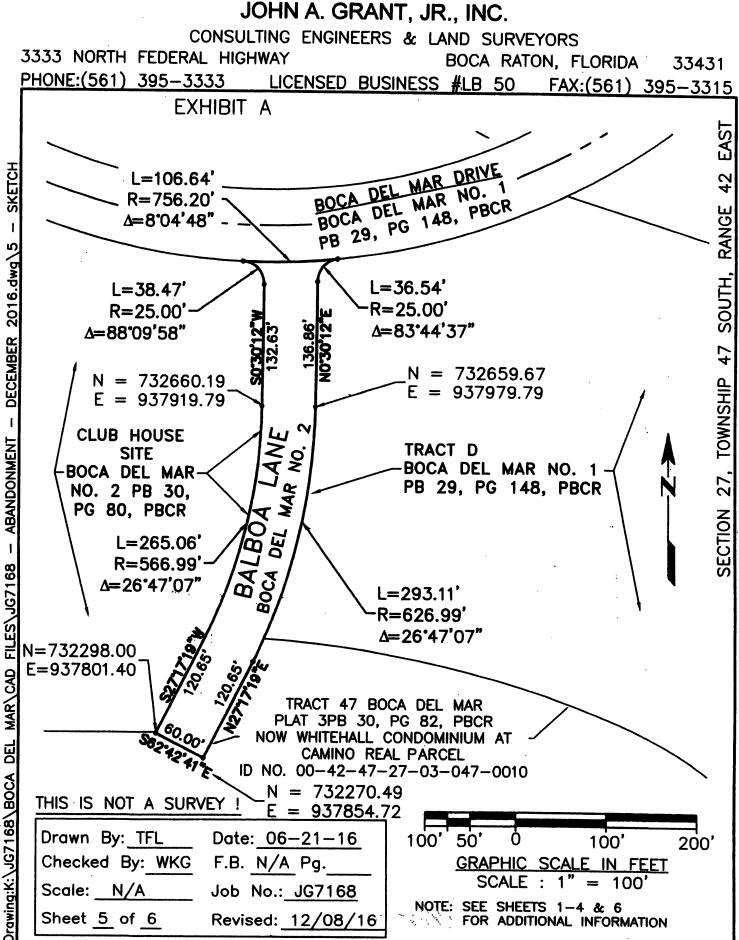
NOTE: GRID VS. PLAT CONVERSION

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Drawn By: TFL Date: 06-21-16 Checked By: WKG F.B. N/A Pg. Scale: N/A Job No.: <u>JG7168</u>

Sheet 4 of 6 Revised: 12/08/16 NOTE: SEE SHEETS 1-3 & 5-6 FOR ADDITIONAL INFORMATION

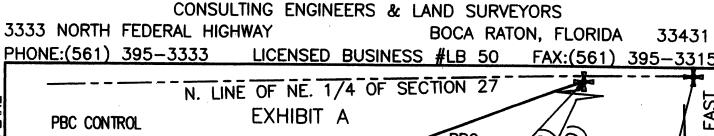
Page 5 of 6

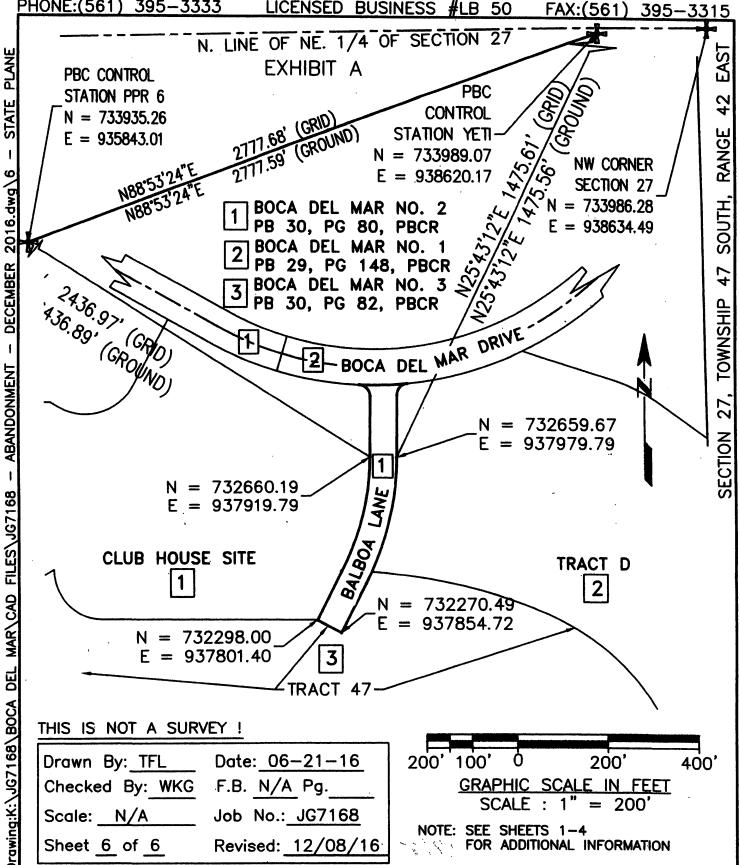


Revised: 12/08/16

Page 6 of 6

### JOHN A. GRANT, JR., INC.





Scale: N/A Job No.: JG7168 Sheet 6 of 6 Revised: 12/08/16

NOTE: SEE SHEETS 1-4 FOR ADDITIONAL INFORMATION

77 PM 124

ATTACHMENT 4
Page 1 of 2

Record and Return To:

Lynn Bodor / Land Records City of Boca Raton 201 Palmetto Park Road Boca Raton, Florida 33432

#### EASEMENT DEED

THIS EASEMENT, made this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2017 between PALM BEACH COUNTY, Florida, a political subdivision of the State of Florida, whose mailing address is 301 N. Olive Ave., West Palm Beach, FL 33401-4700, hereinafter called the Grantor, and the CITY OF BOCA RATON, FLORIDA, a municipal corporation existing under the laws of the State of Florida, County of Palm Beach, whose mailing address is 201 West Palmetto Park Road, Boca Raton, Florida 33432, hereinafter called the Grantee:

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to them in hand paid by said Grantee, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain and sell to Grantee, its successors and assigns forever, a permanent easement and right of access for the construction and continued operation, maintenance, repair, alteration, inspection and replacement of any and all sanitary sewer and water lines and reclaimed water lines, pipes, conduits and mains, together with all valves, meters, incidental equipment, attachments and any other necessary appurtenances pertaining thereto, over, on, upon, across, under and through the following described property ("Property"):

#### SEE EXHIBIT "A" ATTACHED

TOGETHER WITH all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights, privileges and appurtenances incidental thereto.

Grantor represents and covenants that it is the owner of the Property and has the right, title and capacity to grant the easement granted herein.

ATTACHMENT 4 Page 2 of 2

IN WITNESS WHEREOF, Grantor year first above written.	has signed and sealed these presents the day and	
ATTEST: SHARON R. BOCK, CLERK & COMPTROLLER	PALM Beach COUNTY, Florida, BY ITS BOARD OF COUNTY COMMISSIONERS	
BY:Clerk & Comptroller (or Deputy Clerk)  APPROVED AS TO FORM AND LEGAL SUFFICIENCY	BY:Paulette Burdick, Mayor	
BY: Assistant County Attorney  STATE OF FLORIDA COUNTY OF PALM BEACH		
THIS INSTRUMENT was acknowledged before me this, day of, 2017, by, who is personally known to me.		
	Notary Public, State of Florida My Commission expires: Commission No.:	
	ACCEPTED AND APPROVED CITY OF BOCA RATON, FLORIDA	
	By: Susan Haynie, Mayor	

#### JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

₹ 3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50

FAX:(561) 395-3315

33431

#### LEGAL DESCRIPTION - WATER MAIN

EXHIBIT A
A STRIP OF LAND 12 FEET WIDE LYING WITHIN BALBOA LANE R/W, BOCA
DEL MAR NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT
BOOK 30, PAGE 80 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE CENTERLINE OF SAID STRIP DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BALBOA LANE R/W ACCORDING TO THE PLAT OF BOCA DEL MAR NO. 2, AS RECORDED IN PLAT BOOK 30, PAGE 80, OF THE PUBLIC RECORDS OF PALM BEACH, COUNTY, FLORIDA;

THENCE NORTH 2777'19" EAST, FOR A DISTANCE OF 61.08 FEET TO THE POINT OF BEGINNING; THENCE BY THE FOLLOWING COURSES AND DISTANCES WITHIN BALBOA LANE R/W;

THENCE NORTH 00' 58' 10" WEST, FOR A DISTANCE OF 7.93 FEET THENCE NORTH 09' 24' 55" EAST, FOR A DISTANCE OF 34.00 FEET;

THENCE NORTH 22° 31° 53° EAST, FOR A DISTANCE OF 46.25 FEET; THENCE NORTH 22° 51° 20° EAST, FOR A DISTANCE OF 43.35 FEET; THENCE NORTH 21° 50′ 51″ EAST, FOR A DISTANCE OF 24.55 FEET;

THENCE NORTH 19" 58" 04" EAST, FOR A DISTANCE OF 27.20 FEET; THENCE NORTH 12' 02' 22"
THENCE NORTH 08' 46' 04" EAST, FOR A DISTANCE OF 54.53 FEET;

EAST, FOR A DISTANCE OF 57.32 FEET; THENCE NORTH 04' 13' 01" EAST, FOR A DISTANCE OF 51.56 FEET;

THENCE NORTH 01' 03' 18" EAST, FOR A DISTANCE OF 49.93 FEET; THENCE NORTH 00' 30' 43" EAST, FOR A DISTANCE OF 62.33 FEET; THENCE NORTH 03' 12' 24" EAST, FOR A DISTANCE OF 47.69 FEET;

SOUTH RIGHT-OF-WAY LINE OF BOCA DEL MAR DRIVE, ACCORDING TO THE PLAT OF BOCA DEL MAR NO 1 AS RECORDED IN PLAT BOOK 1, PAGE 148 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND POINT OF TERMINUS OF SAID 12 FOOT STRIP. WATER MAIN EASEMENT AREA

NOT

IS 6,078 SQ. FT. (MORE OR LESS)

THIS IS NOT A SURVEY !

Drawn By: TFL Date: 06-22-16 Checked By: WKG F.B. N/A Pg. Scale: N/A Job No.: JG7168 Sheet 1 of 9 Revised: 02-08-17

INDEX	SHEETS	
LEGAL DESCRIPTION	1,2 & 3	
LEGEND & NOTES	4	
GENERAL NOTES :	5	
SKETCH-WM ESMT	6	
SKETCH-SAN ESMT.	7	
SKETCH-PBC	8	
MONUMENTATION		
TE: LEGAL DESCRIPTION CONTIL SHEET. SEE SHEETS 2—9 INFORMATION.	NUED NEXT FOR ADDITIONAL	
INFURMATION.		

FEBRUARY ğ

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CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA 33431

LICENSED BUSINESS #LB 50 PHONE:(561) 395-3333 FAX:(561) 395-3315

### LEGAL DESCRIPTION - FORCE MAIN

TOGETHER WITH:

EXHIBIT A

A STRIP OF LAND 12 FEET WIDE LYING WITHIN BALBOA LANE R/W, BOCA DEL MAR NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 30, PAGE 80 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. FOLLOWS: THE CENTERLINE OF SAID STRIP DESCRIBED AS

COMMENCING AT THE SOUTHEAST CORNER OF BALBOA LANE R/W ACCORDING TO THE PLAT OF BOCA DEL MAR NO. 2, AS RECORDED IN PLAT BOOK 30, PAGE 80, OF THE PUBLIC RECORDS OF PALM BEACH, COUNTY, FLORIDA:

THENCE NORTH 27"7"19" EAST, FOR A DISTANCE OF 93.24 FEET TO THE POINT OF BEGINNING; THENCE BY THE FOLLOWING COURSES AND DISTANCES WITHIN BALBOA LANE R/W;

THENCE NORTH 08' 07' 31" EAST, FOR A DISTANCE OF 12.70 FEET; THENCE NORTH 19' 32' 14" EAST, FOR A DISTANCE OF 34.52 FEET; THENCE NORTH 17' 20' 47" EAST, FOR A DISTANCE OF 32.41 FEET; THENCE NORTH 19" 20" 47" EAST, FOR A DISTANCE OF 32.41 FEET;
THENCE NORTH 18" 27" 48" EAST, FOR A DISTANCE OF 32.55 FEET;
THENCE NORTH 22" 28" 01" EAST, FOR A DISTANCE OF 31.14 FEET;
THENCE SOUTH 70" 19" 59" EAST, FOR A DISTANCE OF 11.42 FEET TO
THE EAST RIGHT-OF-WAY OF SAID BALBOA LANE AND THE POINT OF
TERMINUS OF SAID 12 FOOT STRIP.

#### FORCE MAIN EASEMENT AREA IS 1,850 SQ. FT. (MORE OR LESS)

THE SIDE LINES OF SAID STRIPS TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE PROPERTY BOUNDARY AND ALSO LENGTHENED OR SHORTENED TO A POINT OF INTERSECTION SO AS TO CREATE A CONTINUOUS STRIP.

(LEGAL DESCRIPTION CONTINUED NEXT PAGE)

Date: 06-22-16 Drawn By: TFL Checked By: WKG F.B. N/A Pg. Scale: N/A Job No.: JG7168 Sheet 2 of 9 Revised: 02-08-17

THIS IS NOT A SURVEY !

NOTE: SEE SHEETS 1 & 3-9 FOR ADDITIONAL INFORMATION

CONSULTING ENGINEERS & LAND SURVEYORS

ଞ୍ଚି3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA 33431

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

#### **MISCELLANEOUS** LEGAL DESCRIPTION

OTHER PROPERTY INFORMATION

ADJACENT CLUBHOUSE PROPERTY
BOCA DEL MAR NO. 2 CLUBHOUSE SITE PLAT
PALM BEACH COUNTY ORB 24627, PAGE 1416
PALM BEACH COUNTY TAX ID NO. 00-42-47-27-02-000-0010

ADJACENT GOLF COURSE PROPERTY
BOCA DEL MAR NO. 2 GOLF COURSE PLAT
PALM BEACH COUNTY ORB 24269, PAGE 0345
PALM BEACH COUNTY TAX ID NO. 00-42-47-26-02-004-0000

ADJACENT CONDOMINIUM PROPERTY
BOCA DEL MAR NO. 3 PLAT
PALM BEACH COUNTY ORB 05907, PAGE 1932
PALM BEACH COUNTY PLAT BOOK 30, PAGE 82
PALM BEACH COUNTY TAX ID NO. 00-42-47-27-03-047-0010

TITLE COMMITMENT
CHICAGO TITLE INSURANCE COMPANY

FILE #: 6122476
EFFECTIVE DATE:
NOVEMBER 6, 2016 AT 6:00 AM

NOTE: SEE SHEETS 1-2 & 4-9 FOR ADDITIONAL INFORMATION

#### THIS IS NOT A SURVEY !

I HEREBY CERTIFY: THIS SKETCH OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY SURVEYED UNDER MY DIRECTION, AND CONFORMS TO THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5177, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Date: 06-22-16 Drawn By: TFL F.B. N/A Pg. Checked By: WKG Job No.: JG7168 Scale: N/A

Sheet 3 of 9 Revised: 02-08-17

THOMAS AT LL

THOMAS AS LUBANOVICE PROFESSIONAL LAND SUBVEYOR AND MAPPER NO 6436

STATE OF FLORIDA

SUR Ď, FILES\JG9484-H 덤 168

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CONSULTING ENGINEERS & LAND SURVEYORS
                                                     BOCA RATON, FLORIDA
  3333 NORTH FEDERAL HIGHWAY
                                                                                 33431
  PHONE:(561) 395-3333
                                LICENSED BUSINESS #LB 50
                                                                 FAX:(561) 395-3315
2017.dwg/4-
                               LEGEND AND NOTES
                                      EXHIBIT A
   LEGEND
   ALUM
                ALUMINUM
                                            PB
                                                       = PLAT BOOK
FEBRUARY
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                                            PBC
                                                          PALM BEACH COUNTY
   CATV
                 CABLE TELEVISION
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                                                          PALM BEACH COUNTY
                 RISER
                                                          RECORDS
                 CENTER LINE
CURB INLET
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                                                          PROPERTY LINE
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(BOC)
    THIS IS NOT A SURVEY !
     Drawn By: TFL
                          Date: 06-22-16
69
     Checked By: WKG
                          F.B. N/A Pg.
     Scale: N/A
                          Job No.: <u>JG7168</u>
                                                   NOTE: SEE SHEETS 1-3 & 5-9 FOR ADDITIONAL INFORMATION
     Sheet 4 of 9
                          Revised: 02-08-17
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CONSULTING ENGINEERS & LAND SURVEYORS

្ឋ CONSULTING ទ្ធ3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA

33431

PHONE:(561) 395-3333 2017.dwg\5LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

**GENERAL NOTES** 

NOTE:

EXHIBIT A

THE BOCA DEL MAR PLAT AS RECORDED IN PLAT BOOK 30, PAGES 80-81 IS INCORPORATED IN ITS' ENTIRETY AS PART OF THIS DOCUMENT.

BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON EAST R/W LINE OF BALBOA LANE HAVING A BEARING OF N 00'30'12" E

BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON STATE PLANE COORDINATES (FL EAST ZONE - 0901) PER PUBLISHED. VALUES FROM THE PALM BEACH COUNTY ENGINEERING DEPARTMENT.

INSTRUMENTS OF RECORD SHOWN HEREON REFER TO THOSE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA UNLESS NOTED OTHERWISE.

EASEMENTS SHOWN HEREON ARE PER PLAT UNLESS NOTED OTHERWISE.

#### NOTE

A. COORDINATES SHOWN ARE GRID B. DATUM = 1993 NAD 83, 1990**ADJUSTMENT** 

C. ZONE = FLORIDA EAST

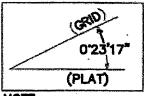
D. LINEAR UNITS = U.S. SURVEY FOOT
E. COORDINATE SYSTEM: 1983 STATE PLANE
TRAVERSE MERCATOR PROJECTION
F. ALL DISTANCES ARE GROUND
G. PROJECT SCALE FACTOR = SF =

1.0000329

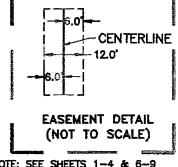
H. GROUND DISTANCE X SF = GRID DISTANCE

#### THIS IS NOT A SURVEY!

Date: 06-22-16 Drawn By: TFL Checked By: WKG F.B. <u>N/A</u> Pg. Job No.: JG7168 Scale: N/A Sheet 5 of 9 Revised: 02-08-17

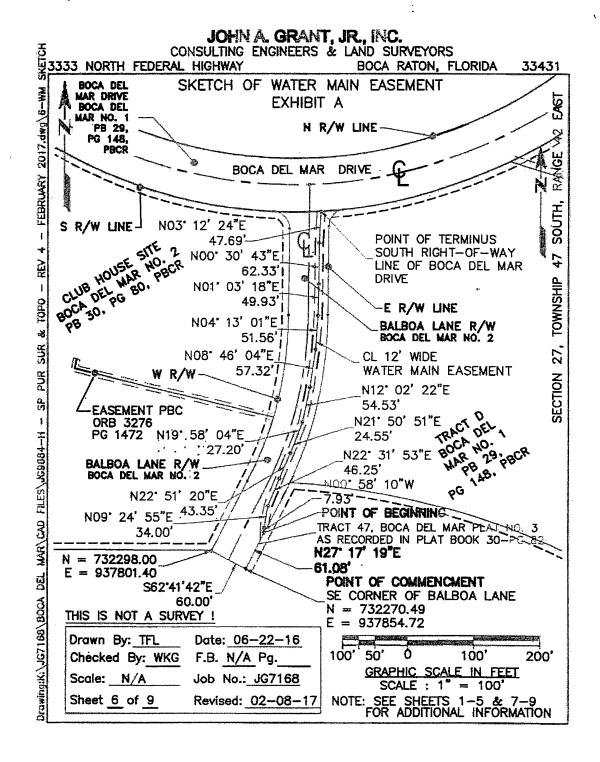


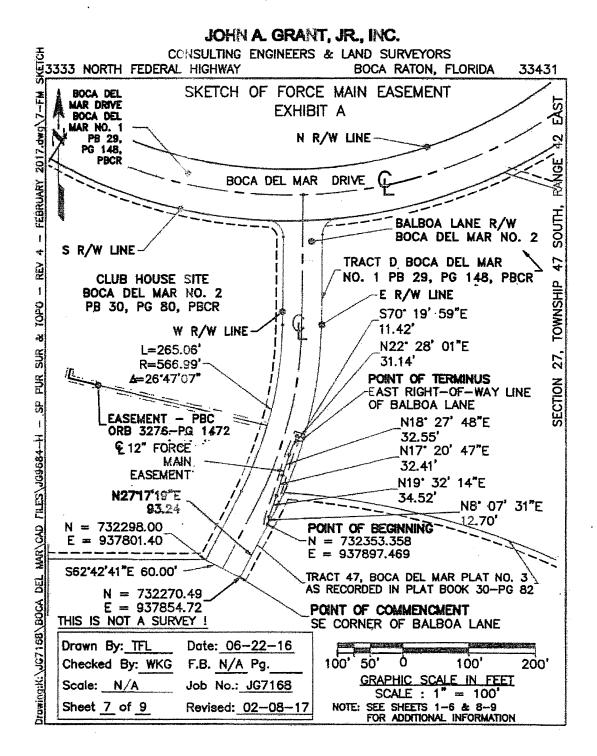
NOTE: GRID VS. PLAT CONVERSION

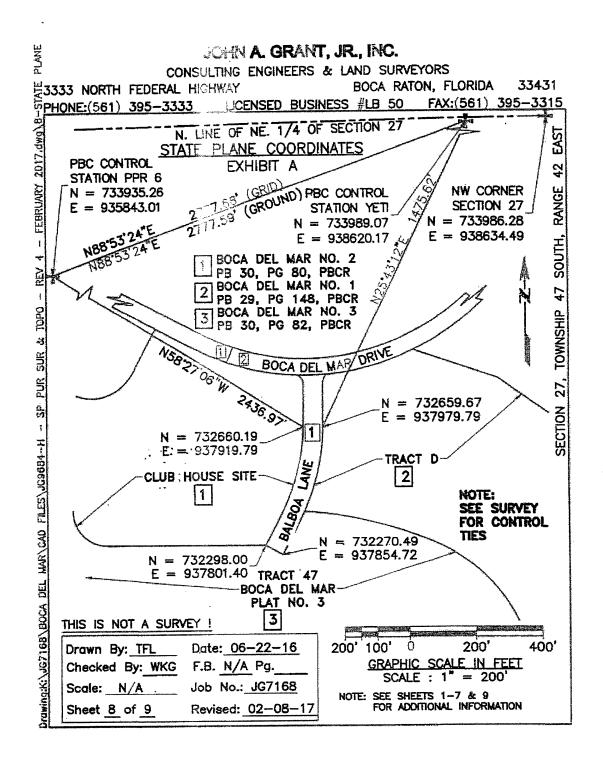


NOTE: SEE SHEETS 1-4 & 6-9 FOR ADDITIONAL INFORMATION

ŗ į TOPO 4 SUR 3 G DEL MAR\CAD FILES\JG9684--IH Drawing:K:\JG7168\BOCA







#### JOHN A. GRANT, JR., INC. CONSULTING CONSULTING ENGINEERS & LAND SURVEYORS BOCA RATON, FLORIDA 33431 EA LICENSED BUSINESS #LB 50 FAX:(561) 395-3315 EASEMENT PERIMETER EXHIBIT CL 12' WIDE WATER MAIN - REV EASEMENT 6,078 SQ. FT. BALBOA LAME RIGHT OF WAY -33,699 SQ. FT. DEL MARYCAD FILES\JG9684-H - SP PUR SUR & TOPO 12" FORCE MAIN EASEMENT 1,850 SQ. FT. 33.699 SQ. FT. THE AREA OF THE BALBOA LANE ABANDONMENT: 6,078 SQ. FT. 1,850 SQ. FT. 7,928 SQ. FT. THE AREA OF THE WATER MAIN EASEMENT: THE AREA OF THE FORCE MAIN EASEMENT: TOTAL EASEMENT AREA BY LEGAL DESCRIPTION: 168\BOCA THE AREA OF OVERLAP OF THE FORCE MAIN EASEMENT INTO THE WATER MAIN EASEMENT: 824 SQ. FT. NET EASEMENT AREA: 7,104 SQ. FT. Drawn By: TFL Date: 12/09/16 Checked By: WKG F.B. N/A Pg.\_ **NET AREA:** 26,595 SQ. FT. NOTE: THIS IS NOT A SURVEY. Scale: N/A Job No.: JG7168 NOTE: SEE SHEETS 1-8 FOR ADDITIONAL INFORMATION Sheet 9 of 9 Revised: 02-08-17