

PALM BEACH COUNTY  
 BOARD OF COUNTY COMMISSIONERS  
 AGENDA ITEM SUMMARY

Meeting Date: March 13, 2018 Consent [X] Regular [ ]  
 Public Hearing [ ]

Department: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to: **A)** Adopt a resolution in support of an application to obtain a utility easement (Application) from the Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) on property located at 190 North Lake Avenue in the City of Pahokee; **B)** Approve a Consent of Easement to Use Corps of Engineers Right-of-Way (Consent of Easement) with the United States Army Corps of Engineers (Corps), and; **C)** Delegate to the County Administrator or her designee the authority to execute the easement documents upon approval of the application by the TIITF.

**Summary:** The Water Utilities Department (WUD) is planning to rehabilitate lift station (LS) 8206, which is located at 190 N Lake Avenue, Pahokee. WUD and its predecessors, the Glades Utility Authority and City of Pahokee have been operating this lift station for many years. WUD staff discovered the lack of an existing easement and has worked with staff from the Division of State Lands to expedite an application to identify and secure the proposed Easement from TIITF. The proposed 700 square foot easement will facilitate WUD with the rehabilitation of this lift station and continue its operation and maintenance. Per the terms of the Application, the Board of County Commissioners is required to adopt a resolution in support of the Application for it to be considered by the TIITF. As a local government, the County will not be required to pay any fees for the application or proposed easement. WUD has additionally secured consent for the easement from the City of Pahokee and the Corps, who are management entities regarding the parcel. The Corps requires the execution of a Consent to Easement to undertake activities on infrastructure within the Corps Right-of-Way.

Upon approval of the application for easement by the TIITF, the Division of State Lands transmits the easement documents to the County for execution. The legal description of the easement parcel is attached to the Application to be approved. WUD recommends the delegation of the authority to execute the easement to the County Administrator or her designee unless there are material changes to the legal documents granting the easement. (WUD Project No. 15-096B) District 6 (MJ)

**Background and Justification:** LS 8206 collects wastewater from the sewer system and then pumps it into force mains for transmission to the Western Region North Wastewater Treatment Plant. Operating with components that are past its expected life, rehabilitation is necessary to restore and improve the long term operability and reliability of the WUD wastewater system. TIITF is granting this easement to the County to allow for operation, repair, replacement and maintenance activities.

**Attachments:**

1. Location Map
2. Two (2) Original Resolutions
3. Application for Easement

Recommended By: Jim Stelso 2-7-18  
 Department Director Date

Approved By: [Signature] 2/27/18  
 Deputy County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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


Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>NET FISCAL IMPACT</b>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Budget Account No.:</b>	<b>Fund</b> _____	<b>Dept</b> _____	<b>Unit</b> _____	<b>Object</b> _____	

Is Item Included in Current Budget?    Yes \_\_\_    No \_\_\_

Reporting Category    N/A



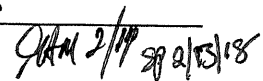
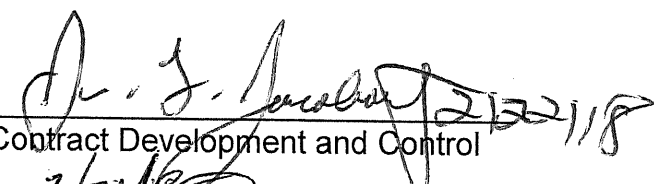

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

No Fiscal Impact


**C. Department Fiscal Review:** \_\_\_\_\_ 

**III. REVIEW COMMENTS**

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

<p> 2/14/18 OFMB  2/14/18     2/14/18</p>	<p> 2/22/18 Contract Development and Control 2/21/18 </p>
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**B. Legal Sufficiency:**

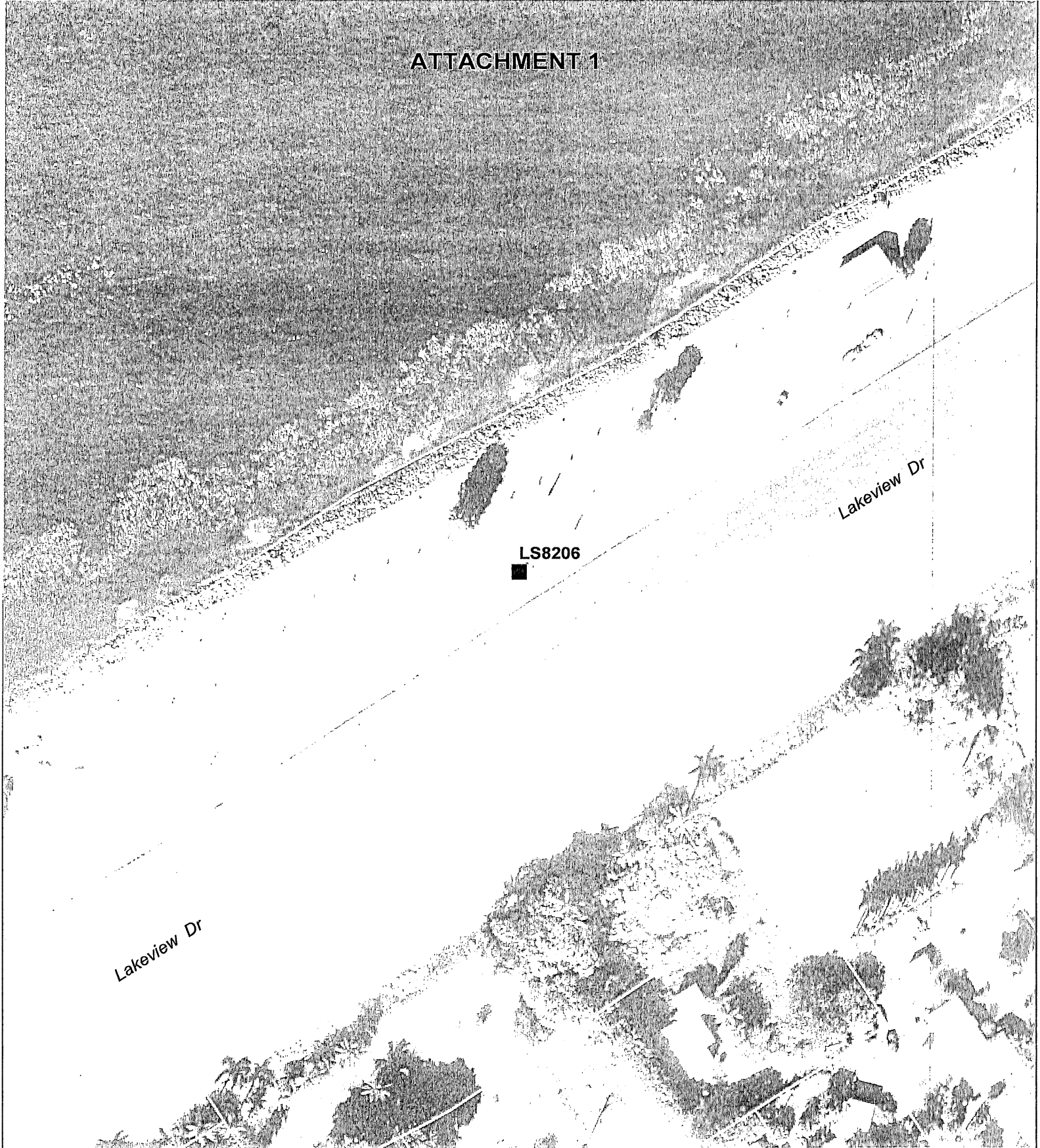
 2/22/18  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director


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

ATTACHMENT 1



**Palm Beach County  
Water Utilities  
Department**  
  
8100 Forest Hill Blvd.  
West Palm Beach, FL 33416  
(561) 493-6251

**Lift Station Rehabilitation  
Project B**  
  
WUD Project No. 15-096B  
**Lift Station 8206**

N  
  
  
1 in = 100 ft

**Legend**  
  
Parcels  
■ Lift Station

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY REQUESTING AN EASEMENT FROM THE STATE OF FLORIDA, BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND (TIITF), FOR THE PURPOSE OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF AN EXISTING LIFT STATION AND APPURTENANCES ON STATE OWNED PROPERTY.**

**WHEREAS**, the Board of County Commissioners for Palm Beach County seeks to request an easement to allow for the construction, operation, and maintenance of an existing lift station (LS 8206) and appurtenances (the "Utility Improvements") over certain property adjacent to North Lake Avenue in the City of Pahokee; and

**WHEREAS**, the easement property is more particularly described in Exhibit "A" attached hereto and is owned by the TIITF; and,

**WHEREAS**, it would be in the best interest to the citizens of Palm Beach County, the City of Pahokee and the State of Florida to allow for the construction, operation, and maintenance of these Utility Improvements and for TIITF to convey the necessary easement to Palm Beach County.

**NOW, THEREFORE**, be it resolved by the Board of County Commissioners for Palm Beach County:

1. That it is necessary and in the best interest of the citizens of Palm Beach County to acquire the easement from TIITF to allow for the construction, operation, and maintenance of the Utility Improvements, to wit:

**See Exhibit "A" for a description of the easement.**

2. That construction, operation, and maintenance of the Utility Improvements in the area described and depicted on Exhibit "A" would benefit the public.
3. That it would be beneficial for the State of Florida and its citizens, through TIITF, to convey said easement to Palm Beach County to allow for the Utility Improvements.
4. Because of the benefits conferred by the Utility Improvements to the citizens of the City of Pahokee, Palm Beach County, and the State of Florida, the Board of Commissioners of Palm Beach County requests all fees for the described easement be waived.

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

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

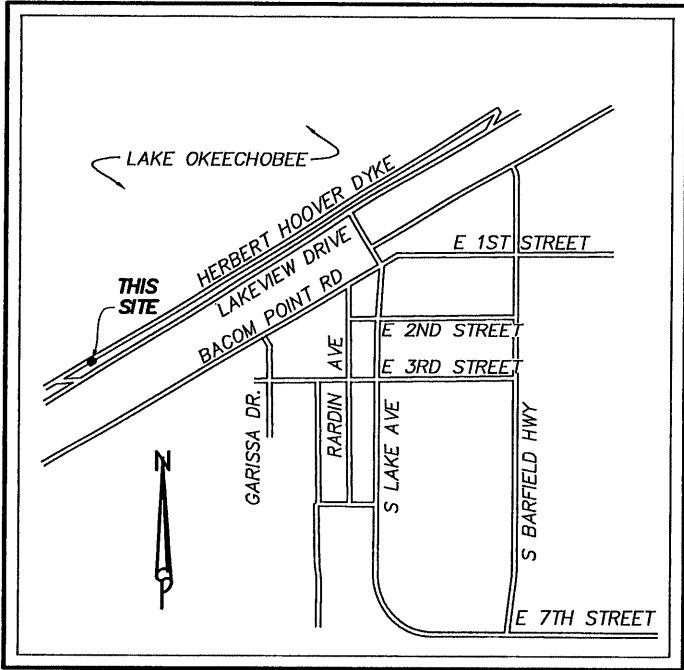
PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney



LOCATION MAP  
NOT TO SCALE

6/1/17  
*David A. Bower*

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

SURVEYOR'S NOTES:

1. BEARINGS DEPICTED HERON ARE RELATIVE TO THE SOUTHERLY LINE OF LOT A-67 OF THE PLAT OF TRUSTEES INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA SUPPLEMENTAL PLAT OF FRAC. SEC. 18 TWP 42S. RG.37E PALM BEACH COUNTY AS RECORDED IN PLAT BOOK 14, PAGE 60 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING A BEARING OF NORTH 31°08'44" WEST
2. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
4. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
5. THIS IS NOT A SURVEY.

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION		
For: PALM BEACH COUNTY WATER UTILITIES		
DRAWN: RRM	SCALE: N/A	DATE: 06/01/17
CHK: DAB	JOB# 16-080-8206 SD	SHEET: 1 OF 4

**DESCRIPTION:**

A 20 FOOT WIDE STRIP OF LAND LYING WITHIN A PORTION OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT A-67 AS SHOWN ON THE PLAT OF TRUSTEES INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA SUPPLEMENTAL PLAT OF FRAC. SEC. 18 TWP. 42S. RG. 37E PALM BEACH COUNTY AS RECORDED IN PLAT BOOK 14, PAGE 60 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 31°08'44" WEST (AS A BEARING BASE) ALONG THE SOUTHERLY LINE OF SAID LOT A-67, A DISTANCE OF 142.71 FEET TO THE MOST WESTERLY CORNER OF SAID LOT A-67; THENCE CONTINUE NORTH 31°08'44" WEST ALONG THE NORTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT A-67, A DISTANCE OF 335.27 FEET TO POINT OF BEGINNING; THENCE SOUTH 56°11'27" WEST, A DISTANCE OF 5.74 FEET; THENCE NORTH 33°48'33" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 56°11'27" EAST, A DISTANCE OF 35.00 FEET; THENCE SOUTH 33°48'33" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 56°11'27" WEST, A DISTANCE OF 29.26 FEET TO THE POINT OF BEGINNING.

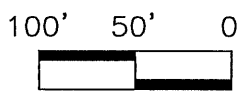
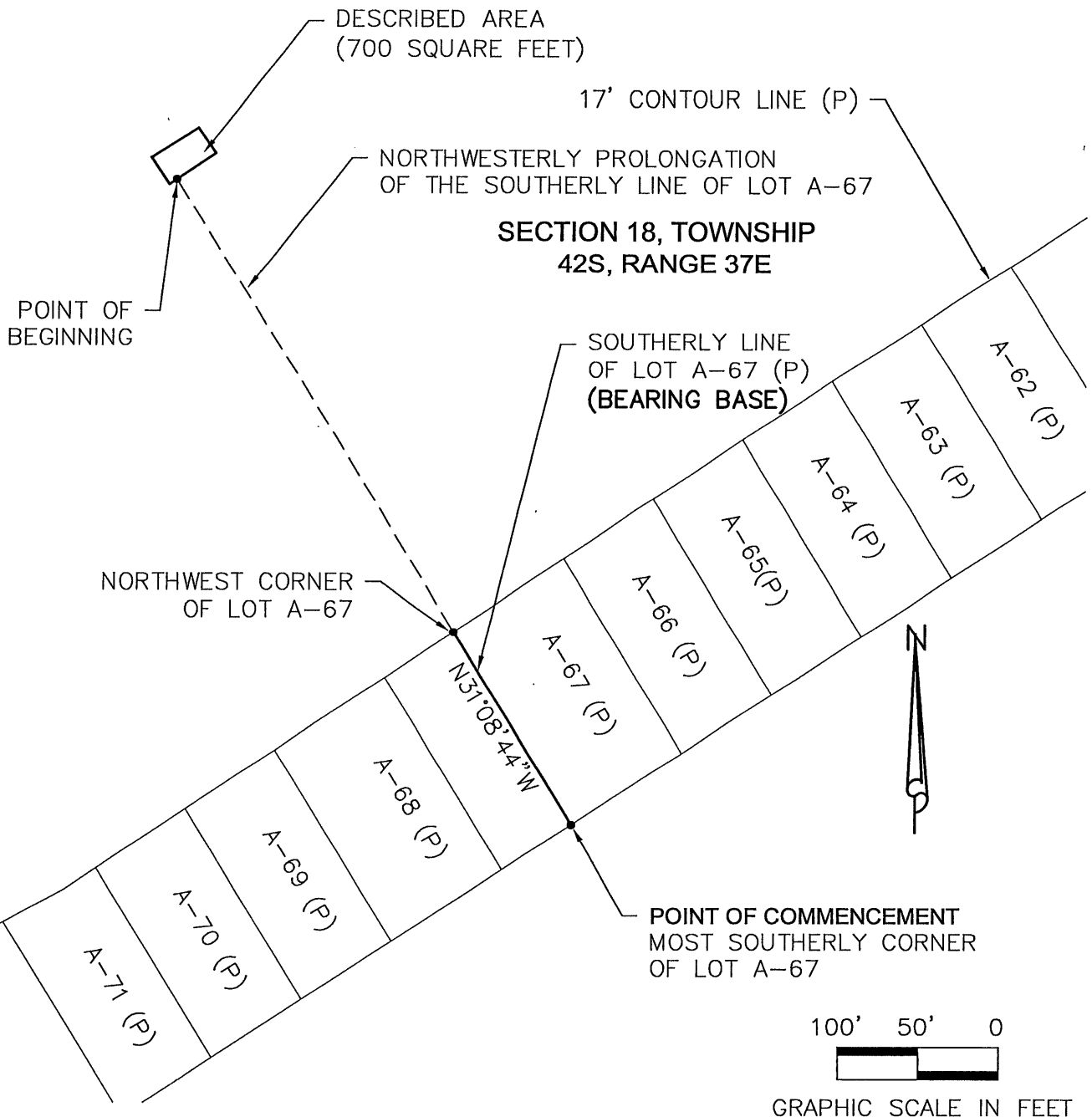
CONTAINING 700 SQUARE FEET MORE OR LESS.

**LEGEND:**

- NTS = NOT TO SCALE
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- PG. = PAGE
- (P) = PER THE PLAT OF TRUSTEES INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA SUPPLEMENTAL PLAT OF FRAC. SEC. 18 TWP. 42S. RG. 37E PALM BEACH COUNTY AS RECORDED IN PLAT BOOK 14, PAGE 60 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION		
For: PALM BEACH COUNTY WATER UTILITIES		
DRAWN: RRM	SCALE: N/A	DATE: 06/01/17
CHK: DAB	JOB# 16-080-8206 SD	SHEET: 2 OF 4

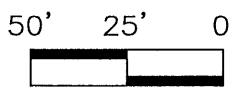


GRAPHIC SCALE IN FEET

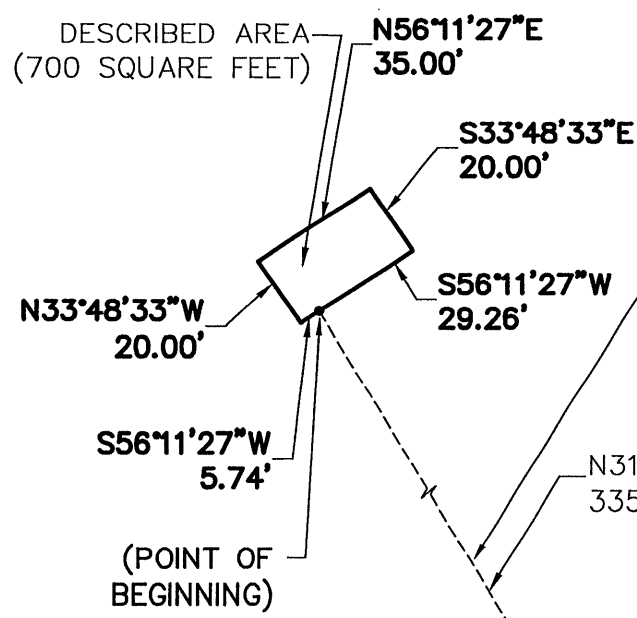
**Dennis J. Leavy & Associates, Inc.**  
 Land Surveyors \* Mappers  
 460 Business Park Way \* Suite B  
 Royal Palm Beach, Florida 33411  
 Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION		
For: PALM BEACH COUNTY WATER UTILITIES		
DRAWN: RRM	SCALE: 1"=100'	DATE: 06/01/17
CHK: DAB	JOB# 16-080-8206 SD	SHEET: 3 OF 4





GRAPHIC SCALE IN FEET



NORTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOT A-67

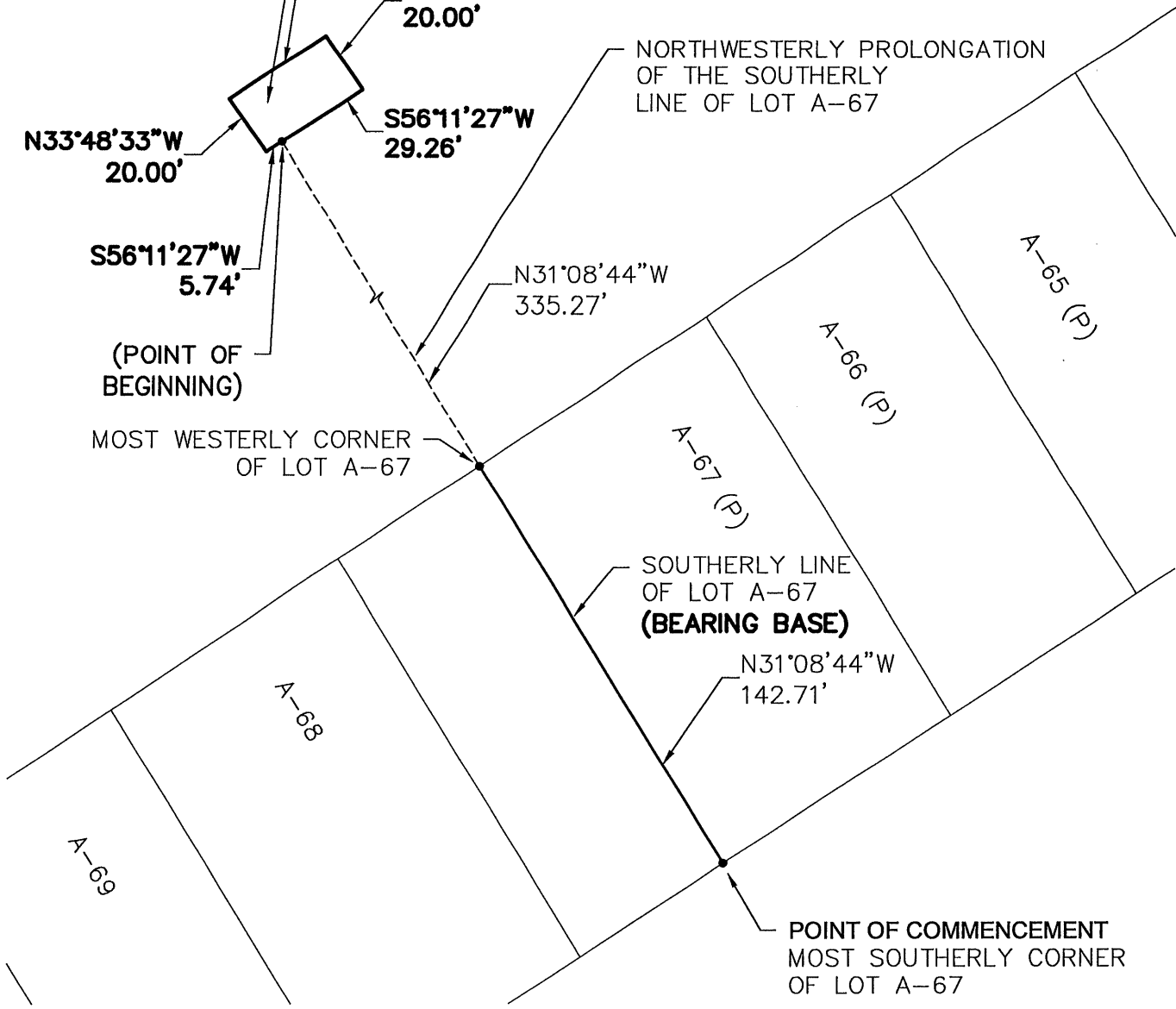
MOST WESTERLY CORNER OF LOT A-67

**N31°08'44"W**  
**335.27'**

SOUTHERLY LINE OF LOT A-67  
**(BEARING BASE)**

**N31°08'44"W**  
**142.71'**

POINT OF COMMENCEMENT  
MOST SOUTHERLY CORNER  
OF LOT A-67



**Dennis J. Leavy & Associates, Inc.**  
 Land Surveyors \* Mappers  
 460 Business Park Way \* Suite B  
 Royal Palm Beach, Florida 33411  
 Phone: 561 753-0650 Fax: 561 753-0290

**SKETCH & DESCRIPTION**  
 For: PALM BEACH COUNTY WATER UTILITIES

<b>DRAWN:</b> RRM	<b>SCALE:</b> 1"=50'	<b>DATE:</b> 06/01/17
<b>CHK:</b> DAB	<b>JOB#</b> 16-080-8206 SD	<b>SHEET:</b> 4 OF 4

**ATTACHMENT 3**

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**APPLICATION FOR THE USE OF STATE OWNED UPLANDS**

**BOARD OF TRUSTEES  
OF THE INTERNAL IMPROVEMENT TRUST FUND  
OF THE STATE OF FLORIDA**

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**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**



**Instructions and general guidance for completing this application:**

*\*Please be advised that the information requested herein, is to provide DEP the necessary information to complete the requested authorization.*

This application is comprised of two (2) separate sections that are outlined and described as follows:

**Section 1 – General Information**

This section is used to indicate what type of upland authorization is requested. It is also used for contact information relative to the applicant and/or their representative. In addition, some general property information should be entered.

**Section 2 – Other Specific Information**

This part requests specific information relative to the type of upland authorization requested.

**What Section(s) or Part(s) must be completed?**

The table below depicts the applicable section(s) or part(s) that must be completed before submitting the application:

Type of Authorization Requested	Section(s) or Part(s) to be completed					
	Section 1	Section 2				
		Part A	Part B	Part C	Part D	Part E
Lease	✓	✓				
Sublease	✓		✓			
Easement	✓			✓		
Use Agreement	✓				✓	
Conveyance	✓					✓
Other*	✓					

*\*This includes types such as Letter of Consent, Estoppel, Affidavit, etc.*

**PRIOR TO COMPLETING THIS APPLICATION, PLEASE BE ADVISED THAT:**

Any application to use state land which would result in significant adverse impact to state land or associated resources shall not be approved unless the applicant demonstrates there is no other alternative and proposes compensation or mitigation acceptable to the Board of Trustees pursuant to paragraph 18-2.018(2)(i), Florida Administrative Code. Any requested use of state land which has been acquired for a specific purpose, such as conservation and recreation lands, shall be consistent with the original specified purpose for acquiring such land pursuant to paragraph 18-2.018(2)(c), Florida Administrative Code.

**SPECIAL NOTE TO ALL APPLICANTS: SUBMITTAL OF A COMPLETE APPLICATION SHALL NOT OPERATE TO CREATE ANY RIGHTS OR CONSTITUTE ANY GROUNDS FOR THE DEPARTMENT TO RECOMMEND APPROVAL OF ANY REQUESTED USE OF STATE LAND. THE BOARD OF TRUSTEES HAS THE AUTHORITY AND RESERVES THE RIGHT TO DENY ANY APPLICATION. ALL COSTS INCURRED BY APPLICANTS COMPLYING WITH THE REQUIREMENTS OF THIS APPLICATION SHALL BE AT THEIR OWN RISK. COSTS ASSOCIATED WITH OBTAINING AN AUTHORIZATION ARE NON-REFUNDABLE AND SHALL BE ASSUMED BY THE APPLICANT INCLUDING, BUT NOT LIMITED TO, ALL APPRAISALS, ALL SURVEYS, ALL TITLE SEARCHES, AND ALL RECORDING FEES.**

Completed Applications with any and all required attachments shall be electronically submitted to [Upland.Applications@dep.state.fl.us](mailto:Upland.Applications@dep.state.fl.us). Please be advised that applications deemed incomplete will be immediately returned to the Applicant with a request to provide any outstanding items.

If unable to send electronically, mail (1) one hard copy to the address below:

Department of Environmental Protection  
Division of State Lands  
Bureau of Public Land Administration  
3800 Commonwealth Boulevard, MS 130  
Tallahassee, Florida 32399-3000



**Section 1 – General Information**

**REQUESTED ACTION**

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> New | <input type="checkbox"/> Release         | <input type="checkbox"/> Assignment/Assumption |
| <input type="checkbox"/> Amendment      | <input type="checkbox"/> Partial Release |  |

**AUTHORIZATION REQUESTED**

- |                                   |  |                                       |
|-----------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Lease    | <input checked="" type="checkbox"/> Easement | <input type="checkbox"/> Conveyance   |
| <input type="checkbox"/> Sublease | <input type="checkbox"/> Use Agreement       | <input type="checkbox"/> Other: _____ |

**TYPE OF ENTITY REQUESTING AUTHORIZATION**

- State Agency  
 Federal, Regional or Local Agency  
 Private – Please indicate if commercial:     YES     NO

<b>Applicant Information</b>		
Legal Name of Lessee/Grantee: Palm Beach County Board of County Commissioners C/O Water Utilities Department		
Contact Name: Hassan Hadjimiry	Title: Assistant Director	
Address: 8100 Forest Hill Boulevard		
City: West Palm Beach	State: Florida	Zip: 33416
Phone (1): 561-493-6021	Phone (2):	Fax:
Email Address: hhadjimiry@pbcwater.com		
<b>Billing Information (if same as above check here <input checked="" type="checkbox"/>)</b>		
Name:		
Title:	Company:	
Address:		
City:	State:	Zip:
Phone (1):	Phone (2):	Fax:
Email:		
<b>Representative Information: (Only complete if someone will be handling this transaction on your behalf)</b>		
Name: Christopher Pettit		
Title: Policy and Legislation Manager	Company: Palm Beach County Water Utilities Department	
Address: 8100 Forest Hill Boulevard		
City: West Palm Beach	State: Florida	Zip: 33416
Phone (1): 561-493-6009	Phone (2):	Fax:
Email Address: cpettit@pbcwater.com		
<b>Management Plan or Land Use Plan Contact Information (for Leases/Subleases only)</b>		
Name:		Title:
Phone (1):	Phone (2):	Fax:
Email Address:		



**Section 1 – General Information (cont'd)**

Estimated construction commencement date (if applicable): \_\_\_\_\_

<b>Property Information</b>		
County: Palm Beach	Property Appraiser's Parcel ID Number: 48-37-42-18-00-000-0010	
Section: 18	Township 42	Range: 37
Approximate Acres: 0.011		
Zoning Designation: Municipal Area		
Location Address: 190 N Lake Avenue		
City Pahokee	State: Florida	Zip 33476

**Descriptive Narrative describing the intended use of the property. Narrative shall include the following:**

*\*Narrative can be attached as a separate page(s).*

- a) *The requested term, which shall not be greater than is necessary to provide for the reasonable use of the state land and shall not be greater than the parent lease term.*
- b) *The need for the proposed use of state lands and written evidence that all other alternatives to the use of state lands have been denied.*
- c) *Projected revenue to be generated from the use of state lands.*
- d) *Whether the intended use is public or private and the extent of public access for such use.*
- e) *A statement describing the public benefits that will occur as a result of the proposed use of state lands.*

The Palm Beach County Water Utilities Department (PBCWUD) is planning to rehabilitate Lift Station (LS) 8206, which is located at 190 N Lake Avenue, Pahokee, FL 33476. PBCWUD, and before that, it's predecessors, the Glades Utility Authority and City of Pahokee, have been operating this lift station for many years. This lift station collects wastewater from the sewer system and then pumps it into force mains for transmission to the Western Region North Wastewater Treatment Plant. Operating with components that are past it's expected life, rehabilitation is necessary to restore and improve the long term operability and reliability of the PBCWUD's wastewater system. During the design for this rehabilitation, PBCWUD was unable to identify an existing easement for this lift station. An easement is required in order allow legal access for operation and maintenance purposes of this lift station.

**Section 1 – General Information (cont'd)**

**Required Attachments**

*The following must be completed and attached for all types of authorization requests:*

- A recent aerial photograph with the boundaries of the proposed project.
- A county tax map identifying the parcel(s).
- A letter from the applicable local planning agency stating that the proposed use of state lands is consistent with the local government comprehensive plan.
- Non-refundable \$300 application fee per 18-2.019(6), F.A.C. *(does not apply to State/Federal agencies)*
- A certified survey\* or sketch of description\*\*, which contains the boundaries, legal description(s), and acreage of the property.  
*\*The Department, at its discretion and if deemed necessary, can require a boundary survey for the action requested.*  
*\*\*If the applicant chooses to submit a sketch of description it must include a note of what field methods were used to complete the sketch.*



**Section 2 – Other Specific Information**

**A) Leases:**

Parent Lease number (if existing): \_\_\_\_\_

- A statement describing the public benefits that will occur as a result of the proposed lease; how the lease will impact local resources and the general public; and how the proposed lease of state land will not be contrary to the public interest.
- A written statement from the managing agency agreeing to lease the state-owned parcel(s).
- For Leases subject to Section 253.034(13), F.S., provide a business plan with the pertinent information required by Statute.

Any **Private entity** applying for a lease, must also include:

- A written commitment to pay a lease fee based on the appraised market value of the proposed lease.
- Names and addresses, as shown on the latest county tax assessment roll, of all property owners lying within a 500-foot radius of the state land proposed for lease, certified by the county property appraiser.

Any **Local Governments** applying for a lease, must also include:

- A formal resolution adopted by the Board of County/City Commissioners requesting the proposed lease.

If applying for a **Full Release** or **Partial Release** of Lease, please complete the items below:

Are there any subleases, sub-sub leases, etc. within the area requesting to be released?  YES  NO  
If so, has notification of the intent to release been provided?  YES  NO

- A written statement confirming that Lessee understands the release will not be executed until the property is leased or sold to another entity. Lessee will remain under lease and will continue to be responsible for the maintenance and upkeep of the property until the release is executed by the Board of Trustee.

**B) Subleases:**

Sublease number of existing sublease (if applicable): \_\_\_\_\_

Parent Lease number (if applicable): \_\_\_\_\_

- A written statement from the managing agency approving the proposed action, along with a statement describing how the sublease conforms to the management plan or land use plan when the sublease application involves state land that is under lease.

Any **Private entity** applying for a sublease, must also include:

- A written commitment to pay a sublease fee based on one of the following: (1) appraised market value, (2) negotiated value or (3) competitive bid.

Any **Local Governments** applying for a sublease, must also include:

- A formal resolution adopted by the Board of County/City Commissioners requesting the proposed sublease.

If applying for a **Full Release** or **Partial Release** of Sublease, please complete the items below:

Are there any sub-sub leases, etc. within the area requesting to be released?  YES  NO  
If so, has notification of the intent to release been provided?  YES  NO

- A written statement confirming that Lessee understands the release will not be executed until the property is leased or sold to another entity. Lessee will remain under lease and will continue to be responsible for the maintenance and upkeep of the property until the release is executed by the Board of Trustee.



**C) Easements**

*\*Applicants applying for an easement across state land which is managed for the conservation and protection of natural resources shall be required to provide net positive benefit as defined in subsection 18-2.017(38), Florida Administrative Code, if the proposed easement is approved.*

Parent Lease number (if applicable): \_\_\_\_\_

A written statement from the managing agency approving the proposed action, along with a statement describing how the proposed easement conforms to the management plan or land use plan (when the easement application involves state land which is under lease or sublease.

Any **Private entity** applying for a private Easement, must also include:

The applicable application fee per 18-2.019(6), F.A.C.

A written commitment to pay an easement fee based on the appraised market value of the proposed easement.

Any **Local Governments** applying for an Easement, must also include:

A formal resolution adopted by the Board of County/City Commissioners requesting the proposed easement.

**D) Use Agreements**

Parent Lease number (if applicable): \_\_\_\_\_

Please indicate what type of use agreement is requested:

Well-Monitoring

Beach (Re)Nourishment

Geophysical

Other: \_\_\_\_\_

A written statement from the managing agency approving the proposed action, along with a statement describing how the proposed use agreement conforms with the management plan or land use plan when the use agreement application involves state land which is under lease or sublease.

**E) Conveyances**

Release of Deed Restriction(s)

Modification of Deed Restriction(s)

Reverter Deeds

DACS Conveyance (DSL-5) Pursuant to s. 253.025(13)(a), F.S.



**DEPARTMENT OF THE ARMY  
CONSENT TO EASEMENT  
TO USE CORPS OF ENGINEERS RIGHT-OF-WAY**

Consent No. DACW17-9-17-0057  
Project: Intracoastal Waterway,  
Jacksonville to Miami  
Palm Beach County, Florida  
Tract Number 731

**THIS CONSENT TO EASEMENT AGREEMENT**, made by and between the **UNITED STATES OF AMERICA, DEPARTMENT OF THE ARMY**, hereinafter referred to as the "Government", acting by and through the Real Estate Contracting Officer, Acting Chief, Real Estate Division, Jacksonville District, hereinafter referred to as "said officer," and **PALM BEACH COUNTY** hereinafter referred to as the "Grantee":

**WHEREAS**, the Government has acquired a right-of-way easement over the above-numbered tract of land, which easement, by its terms, reserves to the Government, in perpetuity, the right to use said easement for the construction, improvement, and maintenance of the Intracoastal Waterway, Jacksonville to Miami, Palm Beach County, Florida; and

**WHEREAS**, the Grantee has requested permission to construct, use, maintain, repair and remove an existing lift station at Pahokee Marina on, across, over, and under a portion of the lands identified as Tract Number 731, Section 18, Township 42 South, Range 37 East, Palm Beach County, Florida. The area comprising 0.02 of an acre (700 square feet), more or less, is shown in red on Exhibit "A" attached hereto and made a part hereof.

**NOW THEREFORE**, this consent is granted and accepted under the following conditions:

1. That it is understood that this consent is effective only insofar as the property rights of the Government in the land to be occupied are concerned, and that it does not relieve the Grantee from the necessity of obtaining grants from the owners of the fee and/or other interests, therein, nor does it obviate the requirement that the Grantee obtain State or local assent required by law for the activity authorized herein.
2. That any proposed improvements or use authorized herein shall not be commenced until appropriate rights have been obtained by the Grantee from the record owners and encumbrancers of the fee title to the lands involved, or until the Grantee has obtained all Federal, State, or local permits required by law.



3. That the proposed improvements or use authorized herein shall be consistent with the terms and conditions of this consent; and that any improvements or use not specifically identified and authorized shall constitute a violation of the terms and conditions of this consent which may result in a revocation of this consent and in the institution of such legal proceedings as the Government may consider appropriate, whether or not this consent has been revoked or modified.

4. That the exercise of the privileges hereby consented to shall be without cost or expense to the Government and under the supervision of and subject to the approval of the said officer having immediate jurisdiction over the property and subject to such regulations as he may from time to time prescribe, including, but not limited to, the specific conditions, requirements, and specifications set forth in paragraph 14 below.

5. That the Grantee shall supervise and maintain the said improvements and cause it to be inspected at reasonable intervals, and shall immediately repair any damage found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said improvements or the making of any repairs thereto, the premises shall be restored immediately by the Grantee, at the Grantees' own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of said officer.

6. That any property of the Government damaged or destroyed by the Grantee incident to the exercise of the privileges herein granted shall be promptly repaired or replaced by the Grantee to the satisfaction of the said officer, or in lieu of such repair or replacement, the Grantee shall, if so required by said officer and at his option, pay to the Government an amount sufficient to compensate for the loss sustained by the Government by reason of damage to or destruction of Government property.

7. That the Government shall not be responsible for damages to the property or injuries to persons which may arise from or be incident to the exercise of the privileges herein granted, or for damages to the property of the Grantee, or for damages to the property or injuries to the person of the Grantee, or the persons of Grantees' officers, agents, servants, or employees, or others who may be on said premises at the invitation of the Grantee or the invitation of one of them, arising from Governmental activities on or in the vicinity of the said premises, and the Grantee shall hold the Government harmless from any and all claims to the extent allowable by law.

8. That the Government shall in no case be liable for any damage, either hidden or known, to any improvements herein authorized which may be caused by any action of the Government, under the rights obtained in its easements, or that may result from the future operations undertaken by the Government, and no claim or right to compensation shall accrue from such damage, and if further operations of the Government require the alteration or removal of any improvements herein authorized, the Grantee shall, upon due notice, from said officer, alter or remove said improvements without expense to the Government and subject to the supervision and approval of the said officer and no claim for damages shall be made against the Government on account of such alterations or removal.

9. That construction and/or operation, maintenance, and use of any improvements incident to the exercise of the privileges herein granted shall be in such a manner as not to conflict with the rights of the Government, nor to interfere with the operations by the Government under such rights nor to endanger lives and safety of the public.

10. That this consent may be terminated by the Government or said officer upon reasonable notice to the Grantee if the Government or said officer shall determine that any improvements or use to which consent is herein granted interferes with the use of said land or any part thereof by the Government, and this consent may be annulled and forfeited by the declaration of the Government or said officer for failure to comply with any or all of the provisions and conditions of this consent, or for nonuse for a period of two (2) years, or for abandonment.

11. That upon relinquishment, termination, revocation, forfeiture, or annulment of this consent, the Grantee shall vacate the premises, remove all property of the Grantee therefrom, and restore the premises to a condition satisfactory to the said officer. If the Grantee shall fail or neglect to remove the said property and so restore the premises, then at the option of the Government or said officer, the said property shall either become the property of the Government without compensation therefor, or the Government or said officer, may cause it to be removed, and the premises to be so restored at the expense of the Grantee, and no claim for damages against the Government, or its officer or agents, shall be created by or made on account of such removal and restoration.

12. That the Grantee within the limits of its respective legal powers shall comply with all Federal, interstate, State, and/or local governmental regulations, conditions, or instructions for the protection of the environment and all other matters as they relate to real property interests granted herein.

13. That the Grantee shall not remove or disturb, or cause or permit to be removed or disturbed, any historical, archeological, architectural, or other cultural artifacts, relics, vestiges, remains, or objects of antiquity. In the event such items are discovered on the premises, the Grantee shall immediately notify the District Engineer, Jacksonville District, Post Office Box 4970, Jacksonville, Florida 32232-0019, and the site and the material shall be protected by the Grantee from further disturbance until a professional examination of them can be made or until a clearance to proceed is authorized by the District Engineer.

14. That construction shall be in accordance with the drawings attached hereto and made a part hereof as Exhibit "B", incorporated herein by reference. That no additional structures shall be constructed water ward of the Government's right-of-way line and that any structures currently within the right-of-way must be removed by the Grantee, at Grantee's expense, if future needs of the Government so require.

15. That this consent may not be transferred to a third party without the prior written notice to the Chief, Real Estate Division, U.S. Army Corps of Engineers, Jacksonville District, Post Office Box 4970, Jacksonville, Florida 32232-0019, and by the transferee's written agreement to comply with and be bound by all the terms and conditions of this consent. In addition, if the Grantee transfers the improvements authorized herein by conveyance of realty, the deed shall reference this consent and the terms and conditions herein and the consent shall be recorded along with the deed in the Registrar of Deeds or with other appropriate official.

This consent is not subject to Title 10, United States Code, Section 2662.

**IN WITNESS WHEREOF**, I have hereunto set my hand, by authority of the Secretary of the Army, this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**UNITED STATES OF AMERICA**

BY: \_\_\_\_\_  
DERRICK D. MOTON  
Real Estate Contracting Officer  
Acting Chief, Real Estate Division

ATTEST:  
  
SHARON R. BOCK  
CLERK AND COMPTROLLER

**AGREED TO AND ACCEPTED**  
  
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

Signed: \_\_\_\_\_

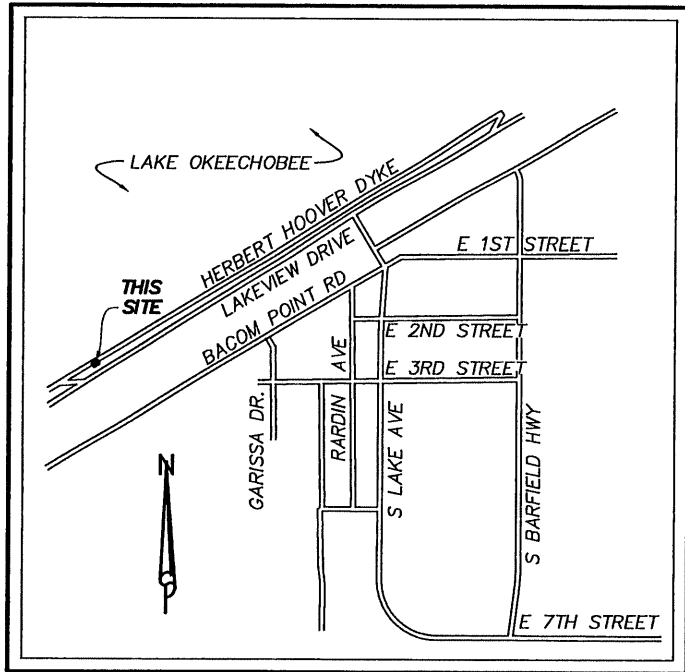
Signed: \_\_\_\_\_  
Paulette Burdick, Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND  
AND CONDITIONS

By: \_\_\_\_\_  
County Attorney

By: \_\_\_\_\_



LOCATION MAP  
NOT TO SCALE

6/1/17  
*David A. Bower*

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

SURVEYOR'S NOTES:

1. BEARINGS DEPICTED HERON ARE RELATIVE TO THE SOUTHERLY LINE OF LOT A-67 OF THE PLAT OF TRUSTEES INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA SUPPLEMENTAL PLAT OF FRAC. SEC. 18 TWP 42S. RG.37E PALM BEACH COUNTY AS RECORDED IN PLAT BOOK 14, PAGE 60 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING A BEARING OF NORTH 31°08'44" WEST
2. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
4. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
5. THIS IS NOT A SURVEY.

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers  
460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION		
For: PALM BEACH COUNTY WATER UTILITIES		
DRAWN: RRM	SCALE: N/A	DATE: 06/01/17
CHK: DAB	JOB# 16-080-8206 SD	SHEET: 1 OF 4

**DESCRIPTION:**

A 20 FOOT WIDE STRIP OF LAND LYING WITHIN A PORTION OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT A-67 AS SHOWN ON THE PLAT OF TRUSTEES INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA SUPPLEMENTAL PLAT OF FRAC. SEC. 18 TWP. 42S. RG. 37E PALM BEACH COUNTY AS RECORDED IN PLAT BOOK 14, PAGE 60 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 31°08'44" WEST (AS A BEARING BASE) ALONG THE SOUTHERLY LINE OF SAID LOT A-67, A DISTANCE OF 142.71 FEET TO THE MOST WESTERLY CORNER OF SAID LOT A-67; THENCE CONTINUE NORTH 31°08'44" WEST ALONG THE NORTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT A-67, A DISTANCE OF 335.27 FEET TO POINT OF BEGINNING; THENCE SOUTH 56°11'27" WEST, A DISTANCE OF 5.74 FEET; THENCE NORTH 33°48'33" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 56°11'27" EAST, A DISTANCE OF 35.00 FEET; THENCE SOUTH 33°48'33" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 56°11'27" WEST, A DISTANCE OF 29.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 700 SQUARE FEET MORE OR LESS.

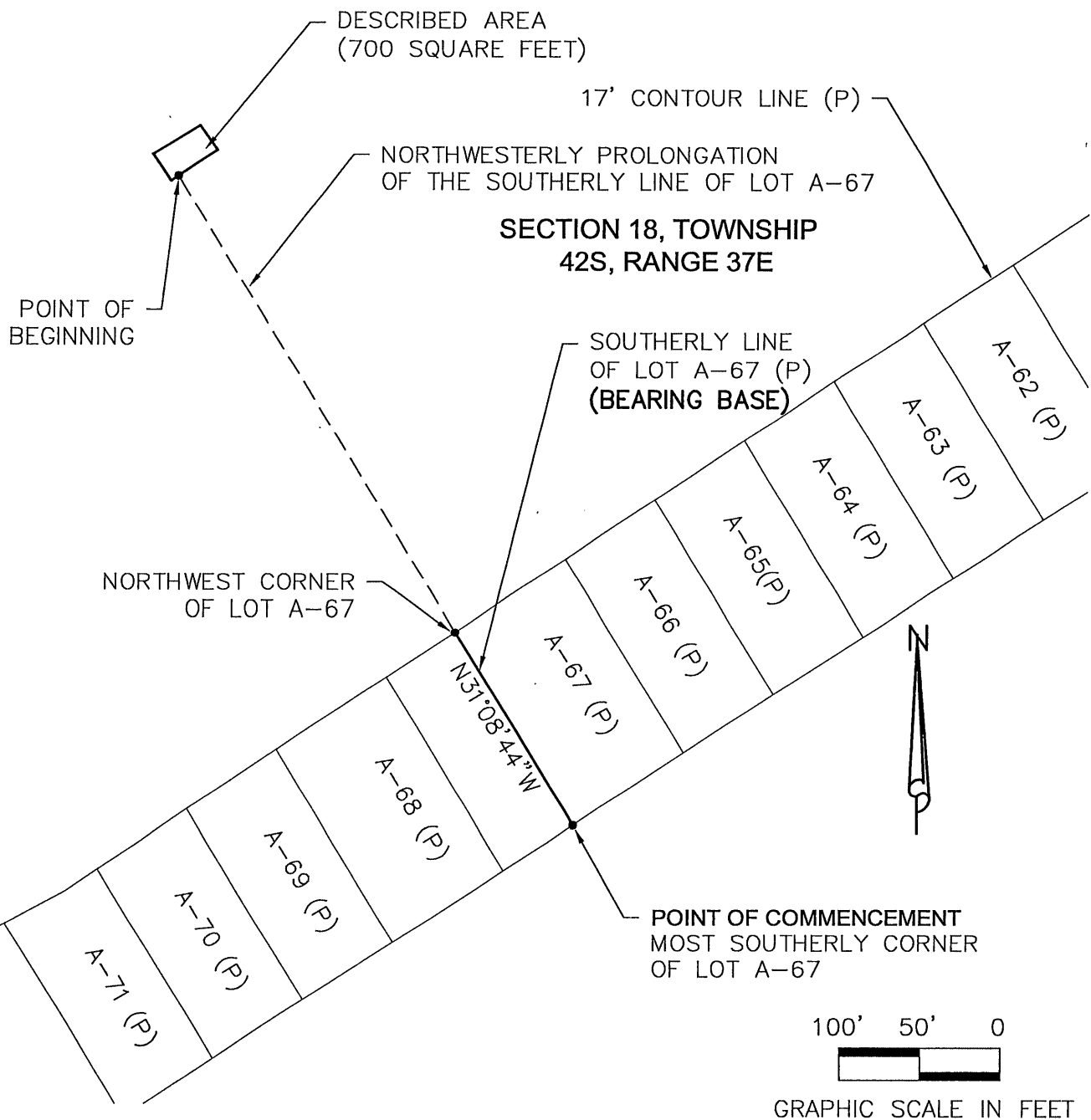
**LEGEND:**

- NTS = NOT TO SCALE
- O.R.B. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- P.B.C.R. = PALM BEACH COUNTY RECORDS
- PG. = PAGE
- (P) = PER THE PLAT OF TRUSTEES INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA SUPPLEMENTAL PLAT OF FRAC. SEC. 18 TWP. 42S. RG. 37E PALM BEACH COUNTY AS RECORDED IN PLAT BOOK 14, PAGE 60 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**Dennis J. Leavy & Associates, Inc.**  
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460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411  
Phone: 561 753-0650 Fax: 561 753-0290

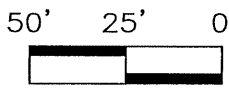
**SKETCH & DESCRIPTION**  
For: PALM BEACH COUNTY WATER UTILITIES

<b>DRAWN:</b> RRM	<b>SCALE:</b> N/A	<b>DATE:</b> 06/01/17
<b>CHK:</b> DAB	<b>JOB#</b> 16-080-8206 SD	<b>SHEET:</b> 2 OF 4

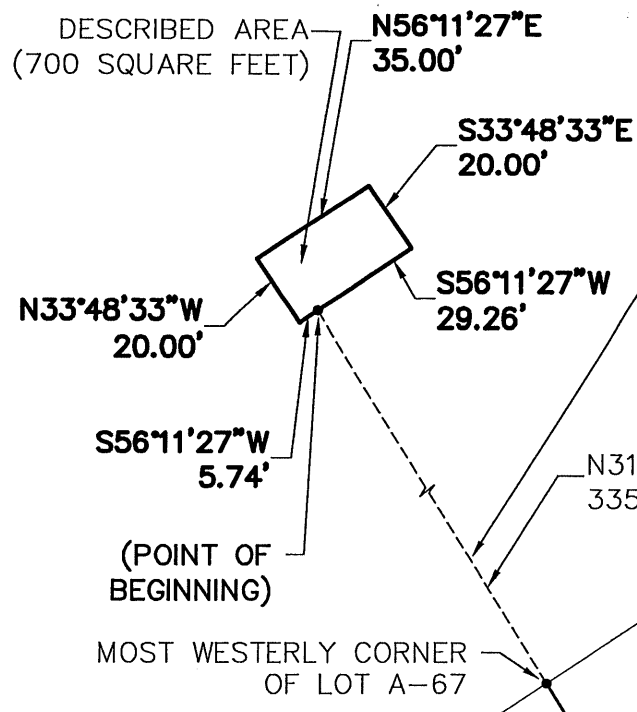


**Dennis J. Leavy & Associates, Inc.**  
 Land Surveyors \* Mappers  
 460 Business Park Way \* Suite B  
 Royal Palm Beach, Florida 33411  
 Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION		
For: PALM BEACH COUNTY WATER UTILITIES		
DRAWN: RRM	SCALE: 1"=100'	DATE: 06/01/17
CHK: DAB	JOB# 16-080-8206 SD	SHEET: 3 OF 4



GRAPHIC SCALE IN FEET



NORTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF LOT A-67

**N31°08'44"W**  
**335.27'**

A-65 (P)

A-66 (P)

A-67 (P)

SOUTHERLY LINE OF LOT A-67  
**(BEARING BASE)**

**N31°08'44"W**  
**142.71'**

A-68

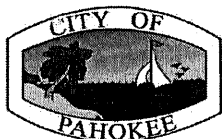
A-69

POINT OF COMMENCEMENT  
MOST SOUTHERLY CORNER OF LOT A-67

**Dennis J. Leavy & Associates, Inc.**  
 Land Surveyors \* Mappers  
 460 Business Park Way \* Suite B  
 Royal Palm Beach, Florida 33411  
 Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION		
For: PALM BEACH COUNTY WATER UTILITIES		
DRAWN: RRM	SCALE: 1"=50'	DATE: 06/01/17
CHK: DAB	JOB# 16-080-8206 SD	SHEET: 4 OF 4

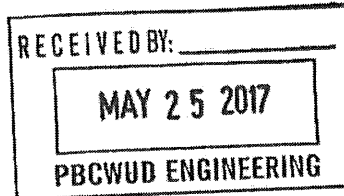




207 Begonia Dr.  
Pahokee, FL 33476  
Phone: (561) 924-5534  
Fax: (561) 924-8140

[www.cityofpahokee.com](http://www.cityofpahokee.com)

# City of Pahokee



May 23, 2017

PBC Water Utilities Department  
Christopher Pettit  
Policy and Legislation Manager

Re: Pahokee Marina-Authorization for lift station construction

Dear Mr. Pettit,

Please accept this letter as an authorization for PBC Water Utilities to perform a lift station construction at the Pahokee Marina, 190 N. Lake Ave. (48-37-42-18-00-000-0010).

I understand that the company designated to install or construct the lift station will be responsible in any way for the work performed and to leave the road or street in the same conditions as it was prior to the construction. Please see below:

**Chapter 22 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES  
ARTICLE I. - IN GENERAL**

**Sec. 22-1. - Obstructing, tearing up, repairing streets and sidewalks-Permit required.**

(a) It shall be unlawful for any person to do the following without first obtaining a written permit from the building inspector:

- (1) Drive any truck over any curb, gutter or sidewalk in the city;
- (2) Do any construction or repair work involving the tearing up and relaying of any street, alley, curb, gutter or sidewalk,;
- (3) Obstruct, dig into or in any way disturb any street, alley, curb, gutter, sidewalk, or part thereof;
- (4) Remove any earth or muck from ditches in the city.

(b) The permit required by this section shall be issued under the terms of this chapter and under such conditions as may be further prescribed by the building inspector and shall accurately describe the portion of the street, alley, curb, gutter, sidewalk or culvert, if it is to be replaced in the same condition as when disturbed and shall state a definite time within which the permit shall be operative.

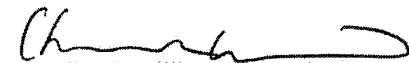
**Sec. 22-3. - Same—Liability insurance required.**

Before granting a permit to any person to do any construction, excavation or repair in any street, alley or sidewalk of the city, the building inspector shall require of the person to whom such permit is issued the following:

- (1) A policy of liability insurance with some casualty company or insurance company duly authorized and qualified to transact business in the state with liability limits of one hundred thousand dollars (\$100,000.00) for injuries to one (1) person and three hundred thousand dollars (\$300,000.00) for injuries to more than one (1) person which are received in the same accident; and
- (2) Property damage limits of one hundred thousand dollars (\$100,000.00), which policies shall insure the permit holder against liability for personal injuries and damage to property by reason of the negligence or misconduct of the holder of the permit, his employees and agents in the performance of any construction, excavation or repair work in any of the streets, alleys, and sidewalks or parts thereof in the city;
- (3) Such certificate of insurance shall be filed with the city clerk.

If any questions should arise, please do not hesitate to contact me at (561) 924-5534, Ext. 2000.

Sincerely,

  
Chandler F. Williamson, MPA  
City Manager

**COMMISSIONERS**

**Keith W. Babb Jr.**  
MAYOR

**Nathaniel Holmes**  
VICE MAYOR

**Felisia C. Hill**  
COMMISSIONER

**Clara Murvin**  
COMMISSIONER

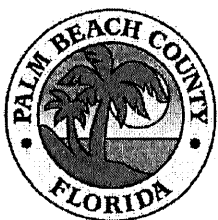
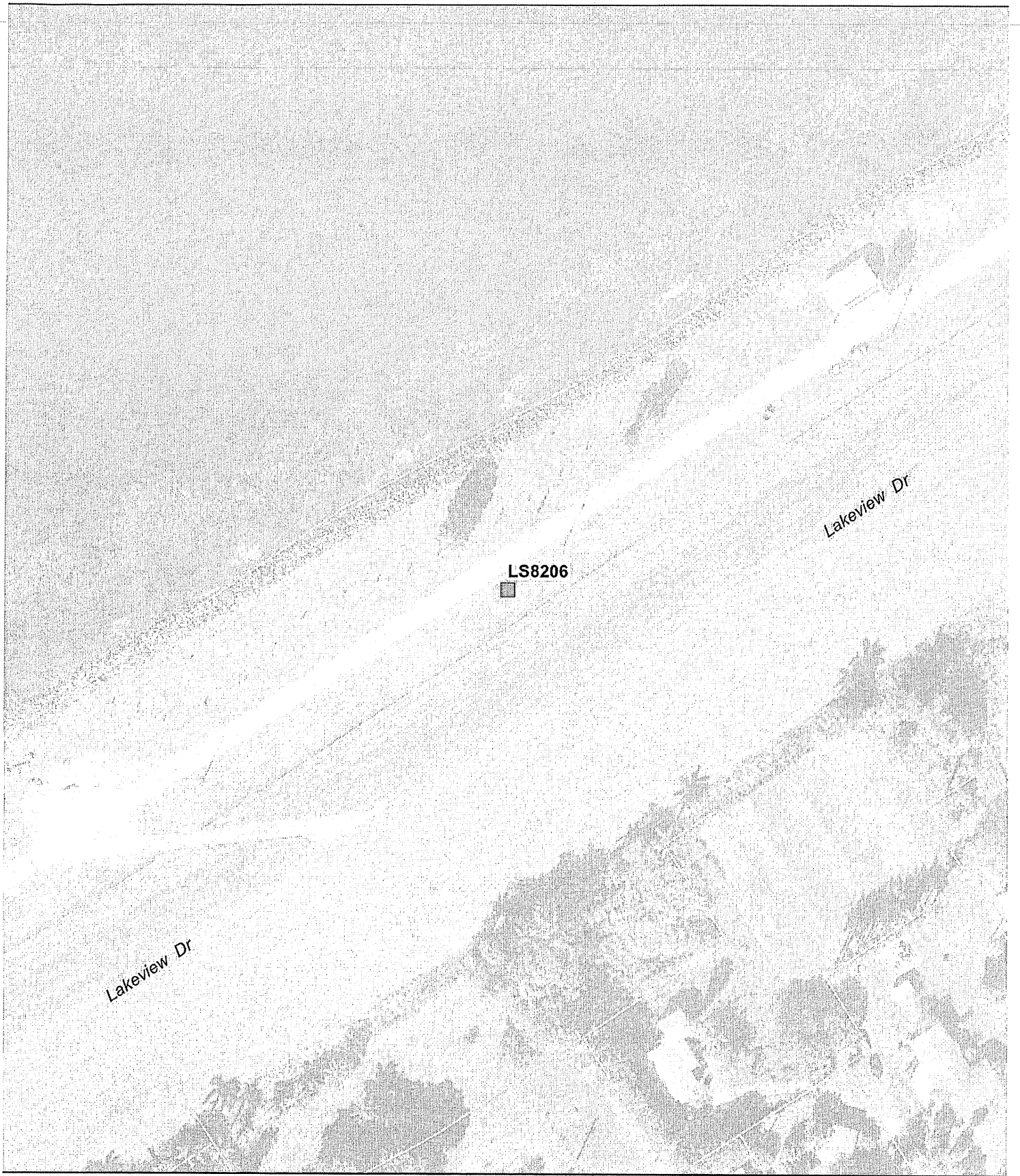
**Diane L. Walker**  
COMMISSIONER

**ADMINISTRATION**

**Chandler Williamson**  
CITY MANAGER

**Tijauna Warner**  
CITY CLERK

**Gary Brandenburg**  
CITY ATTORNEY



**Palm Beach County  
Water Utilities  
Department**

8100 Forest Hill Blvd.  
West Palm Beach, FL 33416  
(561) 493-6251



**Lift Station Rehabilitation  
Project B**

**WUD Project No. 15-096B  
Lift Station 8206**



1 in = 100 ft

**Legend**

-  Parcels
-  Lift Station



PAPA Search

PAPA Home

Search by Owner, Address or Parcel



View Property Record

**Owners**  
TITF CITIES

**Property detail**  
 Location 190 N LAKE AVE  
 Municipality PAHOKEE  
 Parcel No. 4837421800000010  
 Subdivision  
 Book Page  
 Sale Date  
 3900 COMMONWEALTH BLVD MS  
 Mailing Address 108 TALLAHASSEE FL 32399 6575  
 Use Type 8700 - STATE  
 Total Square Feet 10513

No Sales Information Available.

**Appraisals**

Tax Year	2016
Improvement Value	\$1,432,593
Land Value	\$1,562,847
Total Market Value	\$2,995,440

All values are as of January 1st each year

**Assessed/Taxable values**

Tax Year	2016
Assessed Value	\$1,994,368
Exemption Amount	\$1,994,368
Taxable Value	50

**Taxes**

