

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: **March 13, 2018** Consent Regular
Public Hearing

Department: **Water Utilities Department**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the release of a utility easement over property owned by Boca Raton Associates VII, LLLP.

Summary: The document will release the County's interest in a utility easement recorded in the Official Records of Palm Beach County, ORB 23941, Page 1949. During the site plan modification and platting process, it was discovered that an existing Utility Easement was determined to be within the property that no future public utility facilities will be installed. The Water Utilities Department (WUD) has determined that the release of easement will not affect any existing public utility facilities or future public utility facilities and therefore recommends the release. District 2 (MJ)

Background and Justification: On July 8, 2010 a utility easement was granted to the County for public utility facilities associated with the development of the properties identified by PCN 00-42-43-27-05-070-0011 and PCN 00-42-43-27-05-070-0160. The property in which the easement is located will no longer be used for any existing or future WUD utility facilities. The property owner is requesting release of the easement.

Attachments:

- 1. Location Map
- 2. Two (2) Original Release of Utility Easement
- 3. Original Utility Easement (ORB 23941/PG 1949)
- 4. Copy of Trustee's Deed (ORB 25689/PG 0466)

Recommended By: Jim Stiles Department Director Date: 2-20-18

Approved By: [Signature] Deputy County Administrator Date: 2/22/18

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>
Operating Costs	<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>
NET FISCAL IMPACT	<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>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____

Is Item Included in Current Budget? Yes _____ No _____

Does this item include the use of federal funds? Yes _____ No X

Reporting Category N/A

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

This item has no fiscal impact.

C. Department Fiscal Review: _____

III. REVIEW COMMENTS

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

Lisa Ponz 2/14/18
OFMB 2/14/18
JAM 2/17 5/2/13/18

Dr. J. Jacobson 2/20/18
Contract Development and Control
2/20/18 TW

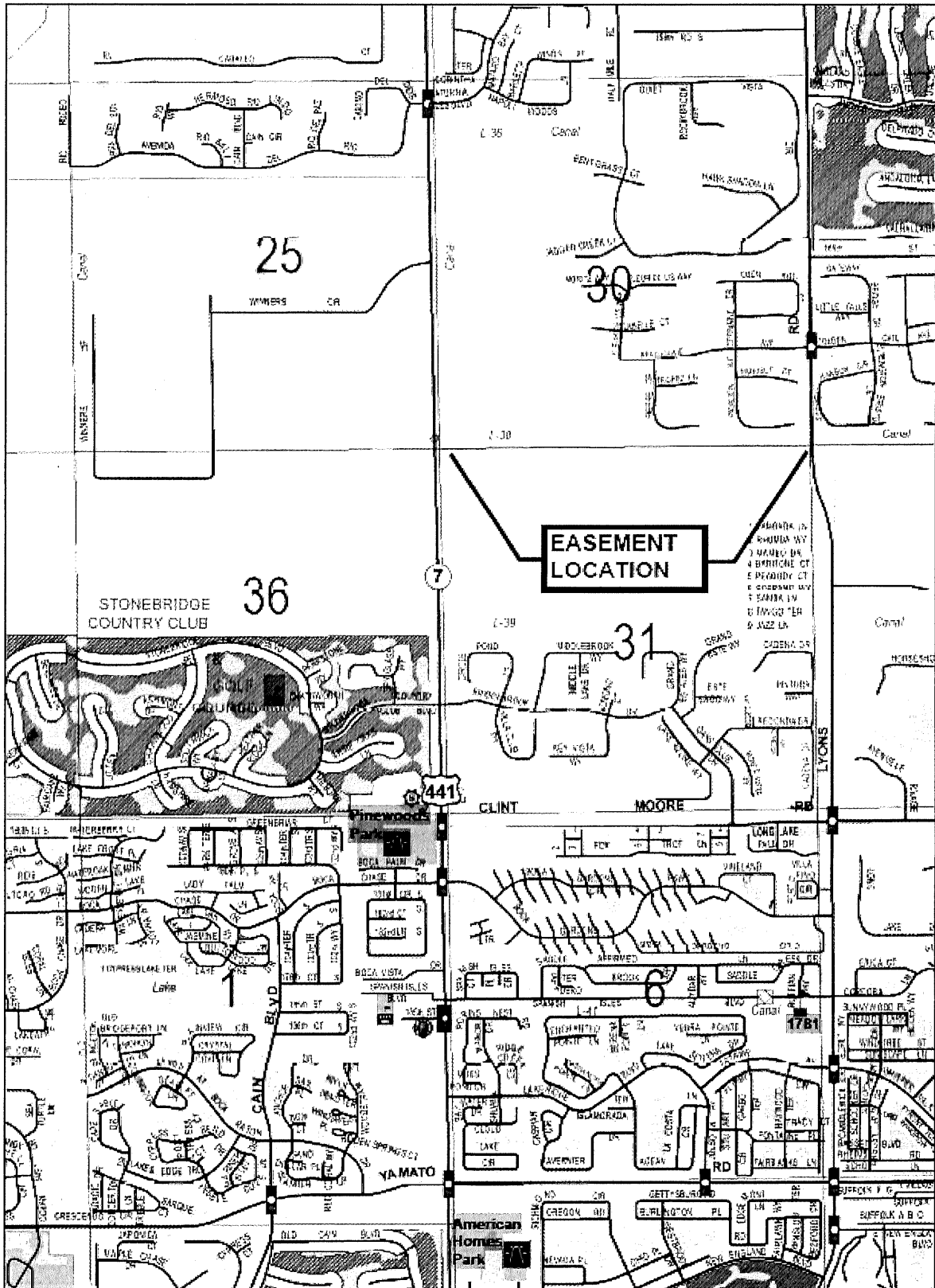
B. Legal Sufficiency:
[Signature] 2/22/18
Assistant County Attorney

C. Other Department Review:

Department Director

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

ATTACHMENT 1



Prepared by and return to:
Palm Beach County Water Utilities Department
Attn: Plan Review, C/O Joe Lammert
8100 Forest Hill Blvd
West Palm Beach, Florida 33413

RELEASE OF UTILITY EASEMENT

THIS RELEASE OF UTILITY EASEMENT, executed this ___ day of _____, 2018, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to Boca Raton Associates, LLLP, whose address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a UTILITY EASEMENT recorded in Official Records Book 23941 Page 1949, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that UTILITY EASEMENT.

IN WITNESS WHEREOF the first party has caused this RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

Sharon R. Bock, Clerk

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

By: _____
Deputy Clerk

By: _____
Melissa McKinlay, Mayor

JCS

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney



CFN 20100250774
OR BK 23941 PG 1949
RECORDED 07/08/2010 16:11:24
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pg. 1949 - 1960 (12pgs)

SDA #
Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097 Attn: Engineering Div.
West Palm Beach, Florida 33416-6097

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 22 day of February, 2010 by CITY NATIONAL BANK, TRUSTEE under Land Trust #2401-1097-00 (hereinafter referred to as "Grantor"), whose address is _____, to Palm Beach County, hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

Signed, sealed and delivered in the presence of:

Gloria Pelaez-Cabouli
(Witness Signature)

Print Name: Gloria Pelaez-Cabouli
(Witness)

Mayra A. Espinola
(Witness Signature)

Print Name: Mayra A. Espinola
(Witness)

CITY NATIONAL BANK OF FLORIDA
As Trustee under Land Trust No. 2401-1097-00

By: William E. Shockett
(Grantor's signature)

Print Name: William E. Shockett

Print Address: 25 West Flagler Street - Suite 711
Miami, Florida 33130

Attest: _____

Print Name: _____

Print Address: _____

CITY NATIONAL BANK OF FLORIDA REBUTES THIS INSTRUMENT SOLELY AS TRUSTEE UNDER LAND TRUST NO 2401-1097-00 AND NOT INDIVIDUALLY AND NO PERSONAL JUDGMENT OR DECREE SHALL BE SOUGHT OR OBTAINED AGAINST THE BANK BY REASON OF THIS INSTRUMENT

STATE OF FLORIDA AND COUNTY OF MIAMI-DADE this 22 day of February, 2010 by WILLIAM E. SHOCKETT, as Trust Officer and ~~and~~ Executive Vice President of CITY NATIONAL (*) corporation, on behalf of said corporation, who are grantor and Secretary of _____, a _____ as identification, and who did (did not) take an oath personally known to me or have produced _____ (Type of Identification)

(*) BANK OF FLORIDA, AS TRUSTEE under Land Trust #2401-1097-00
My Commission Expires:

Gloria Pelaez-Cabouli
Notary Public, Signature
Print Name Gloria Pelaez-Cabouli



SDA #
Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097 Attn: Engineering Div.
West Palm Beach, Florida 33416-6097

CONSENT AND SUBORDINATION OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby consent to the granting of this Utility Easement, across the lands herein described, and agrees that its mortgage, which is recorded in Official Record Book 13522 Page 788, of the Public Records of Palm Beach County, Florida, shall be subordinated to this Utility Easement.

IN WITNESS WHEREOF, the Grantor/Mortgagee has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

Signed, sealed and delivered
in the presence of:

Theresa Fraticelli
Witness Signature

Theresa Fraticelli
Print Name

Sheila R. Cyle
Witness Signature

Sheila R. Cyle
Print Name

GRANTOR/MORTGAGEE:

Name of Mortgagee:
BankAtlantic

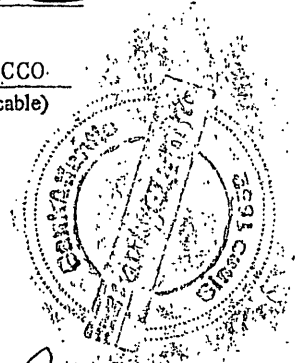
Patrick J. Southworth
Signature

Patrick Southworth, President CRE
Print Name (and Title if applicable)

Jeff Mindling
Signature

Jeffrey Mindling, CCO
Print Name (and Title if applicable)

(SEAL)



NOTARY CERTIFICATE

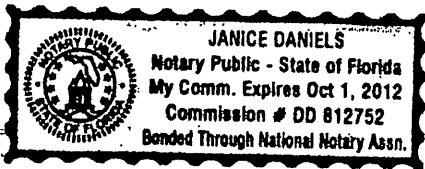
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 7th day of July, 2010, by Patrick Southworth and Jeffrey Mindling, who is/are both personally known to me or who have produced _____ as identification.

My Commission
Expires:

Janice Daniels
Notary Signature

Janice Daniels
Typed, Printed or Stamped Name of Notary



SDA #
Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097 Attn: Engineering Div.
West Palm Beach, Florida 33416-6097

CONSENT AND SUBORDINATION OF MORTGAGEE FOR UTILITY EASEMENT

The undersigned mortgagee does hereby consent to the granting of this Utility Easement, across the lands herein described, and agrees that its mortgage, which is recorded in Official Record Book 13522 Page 855, of the Public Records of Palm Beach County, Florida, shall be subordinated to this Utility Easement.

IN WITNESS WHEREOF, the Grantor/Mortgagee has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

Signed, sealed and delivered
in the presence of:

Mayra A. Espinola
Witness Signature

Mayra A. Espinola
Print Name

Barbara Rodriguez
Witness Signature

Barbara Rodriguez
Print Name

GRANTOR/MORTGAGEE:

Name of Mortgagee:

CITY NATIONAL BANK OF FLORIDA

By: Charles Torres
Signature

CHARLES TORRES, Executive Vice President
Print Name (and Title if applicable)

Signature

Print Name (and Title if applicable)

(SEAL)

NOTARY CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 1st day of July, 2010,
by CHARLES TORRES as Executive and Vice President of (*), who is/are both
personally known to me or who have produced personally known as identification.
(*) CITY NATIONAL BANK OF FLORIDA

My Commission
Expires:

Mayra A. Espinola
Notary Signature

Mayra A. Espinola

Typed, Printed or Stamped Name of Notary

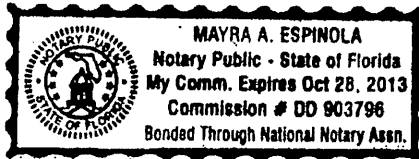


Exhibit A

DESCRIPTION: PALM BEACH COUNTY UTILITY EASEMENT

A STRIP OF LAND LYING WITHIN TRACTS 2 THROUGH 16, AND THE 30 FOOT ROAD, DYKE AND DITCH RESERVATION BETWEEN SAID TRACTS 8 AND 9, ALL OF BLOCK 70, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID LAND LYING IN SECTION 31, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID BLOCK 70, WITH THE SOUTH RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT L-38 CANAL, AS RECORDED IN OFFICIAL RECORD BOOK 6495, PAGE 761 OF SAID PUBLIC RECORDS; THENCE N.89°23'28"E. ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID L-38 CANAL, A DISTANCE OF 55.01 FEET TO THE POINT OF BEGINNING; THENCE S.01°27'31"E., A DISTANCE OF 5.00 FEET; THENCE N.89°23'28"E. ALONG A LINE 5.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID L-38 CANAL, A DISTANCE OF 520.67 FEET; THENCE N.81°03'34"E., A DISTANCE OF 20.22 FEET; THENCE N.89°23'28"E. ALONG SAID PARALLEL LINE, A DISTANCE OF 1,304.42 FEET; THENCE S.00°27'56"E., A DISTANCE OF 0.52 FEET; THENCE N.89°23'28"E., A DISTANCE OF 649.71 FEET; THENCE N.00°27'56"W., A DISTANCE OF 0.52 FEET; THENCE N.89°23'28"E., A DISTANCE OF 699.71 FEET; THENCE S.00°27'56"E., A DISTANCE OF 0.52 FEET; THENCE N.89°23'28"E., A DISTANCE OF 319.85 FEET; THENCE N.00°27'56"W., A DISTANCE OF 0.52 FEET; THENCE N.89°23'28"E., A DISTANCE OF 1,611.78 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THAT CERTAIN LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORD BOOK 11436, PAGE 129 OF SAID PUBLIC RECORDS (THE PREVIOUS NINE COURSES AND DISTANCES BEING ALONG A LINE 5.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO, AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID L-38 CANAL); THENCE N.05°35'26"W. ALONG SAID WEST LINE, A DISTANCE OF 5.02 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID L-38 CANAL; THENCE S.89°23'28"W., A DISTANCE OF 1,606.33 FEET; THENCE S.00°27'56"E., A DISTANCE OF 0.52 FEET; THENCE S.89°23'28"W., A DISTANCE OF 329.85 FEET; THENCE N.00°27'56"W., A DISTANCE OF 0.52 FEET; THENCE S.89°23'28"W., A DISTANCE OF 689.71 FEET; THENCE S.00°27'56"E., A DISTANCE OF 0.52 FEET; THENCE S.89°23'28"W., A DISTANCE OF 659.71 FEET; THENCE N.00°27'56"W., A DISTANCE OF 0.52 FEET; THENCE S.89°23'28"W., A DISTANCE OF 1,319.42 FEET; THENCE S.00°27'56"E., A DISTANCE OF 2.93 FEET; THENCE S.89°23'28"W., A DISTANCE OF 520.76 FEET TO THE POINT OF BEGINNING (THE PREVIOUS ELEVEN COURSES AND DISTANCES BEING ALONG THE SOUTH LINE OF THE SAID L-38 CANAL).

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD.

NOTES:


1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED BEARING OF S.01°13'1"E. ALONG THE WEST LINE OF BLOCK 70, PALM BEACH FARMS COMPANY PLAT NO. 3.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
6. L.W.D.D. - DENOTES LAKE WORTH DRAINAGE DISTRICT
7. O.R.B. - DENOTES OFFICIAL RECORD BOOK
8. R/W - DENOTES RIGHT-OF-WAY

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON DECEMBER 21, 2009. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 61G17-6 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 9

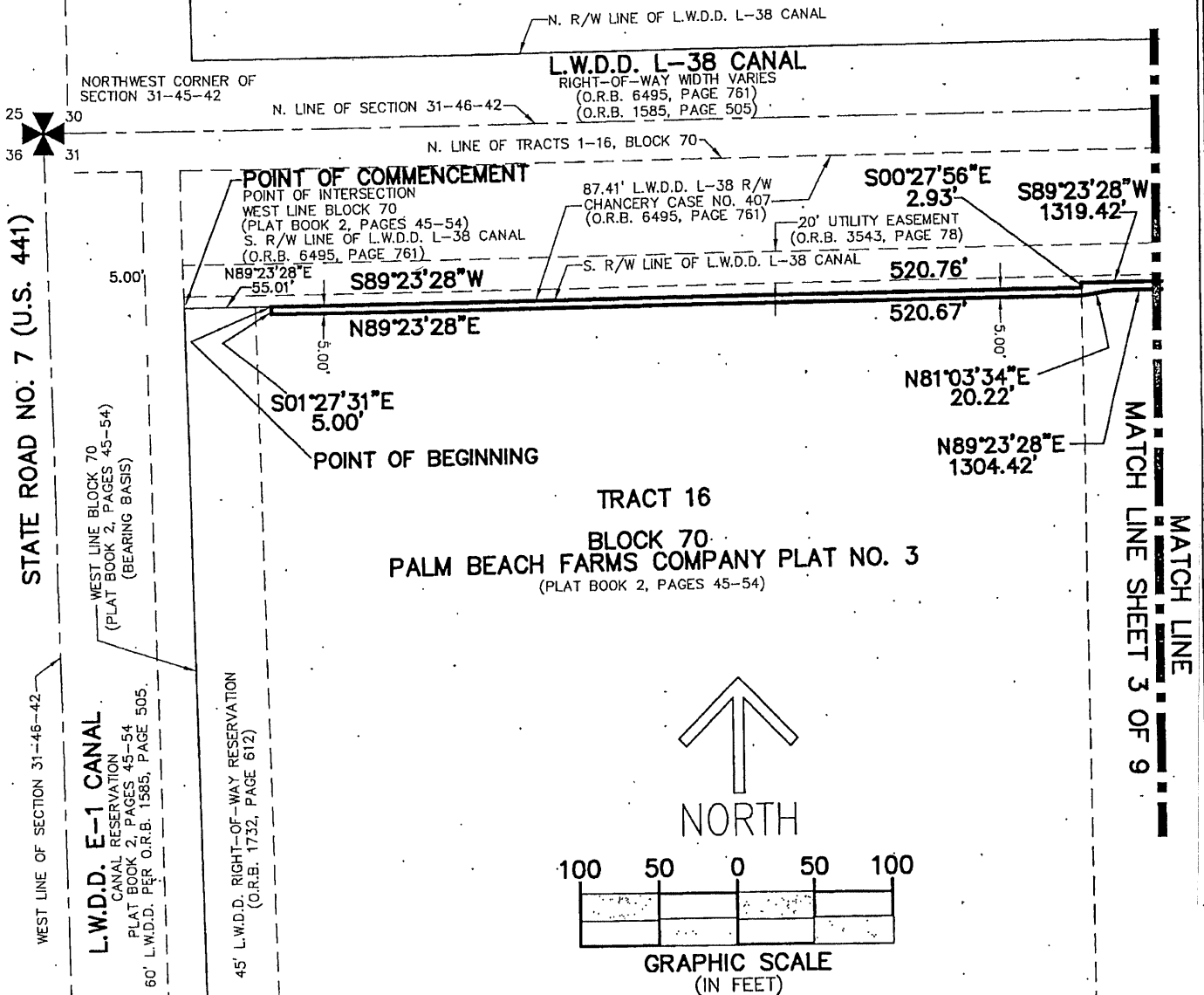
	CAULFIELD & WHEELER, INC.
	CIVIL ENGINEERING - LAND PLANNING LANDSCAPE ARCHITECTURE - SURVEYING 7301A W. PALMETTO PARK ROAD - SUITE 100A BOCA RATON, FLORIDA 33433 PHONE (561)-392-1991 / FAX (561)-750-1452


DAVID P. LINDLEY REGISTERED LAND SURVEYOR NO. 5005 STATE OF FLORIDA L.B. 3591

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DRAWN BY	JC
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	4682PBCUE

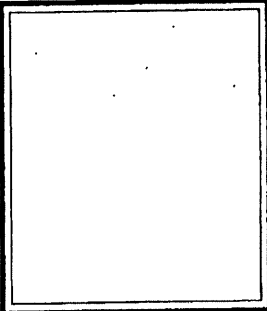
APPOLONIA FARMS PALM BEACH COUNTY UTILITY EASEMENT SKETCH OF DESCRIPTION
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SECTION 30-46-42
 PALM BEACH FARMS CO. PLAT NO. 1
 (PLAT BOOK 2, PAGES 26-28)



SHEET 2 OF 9

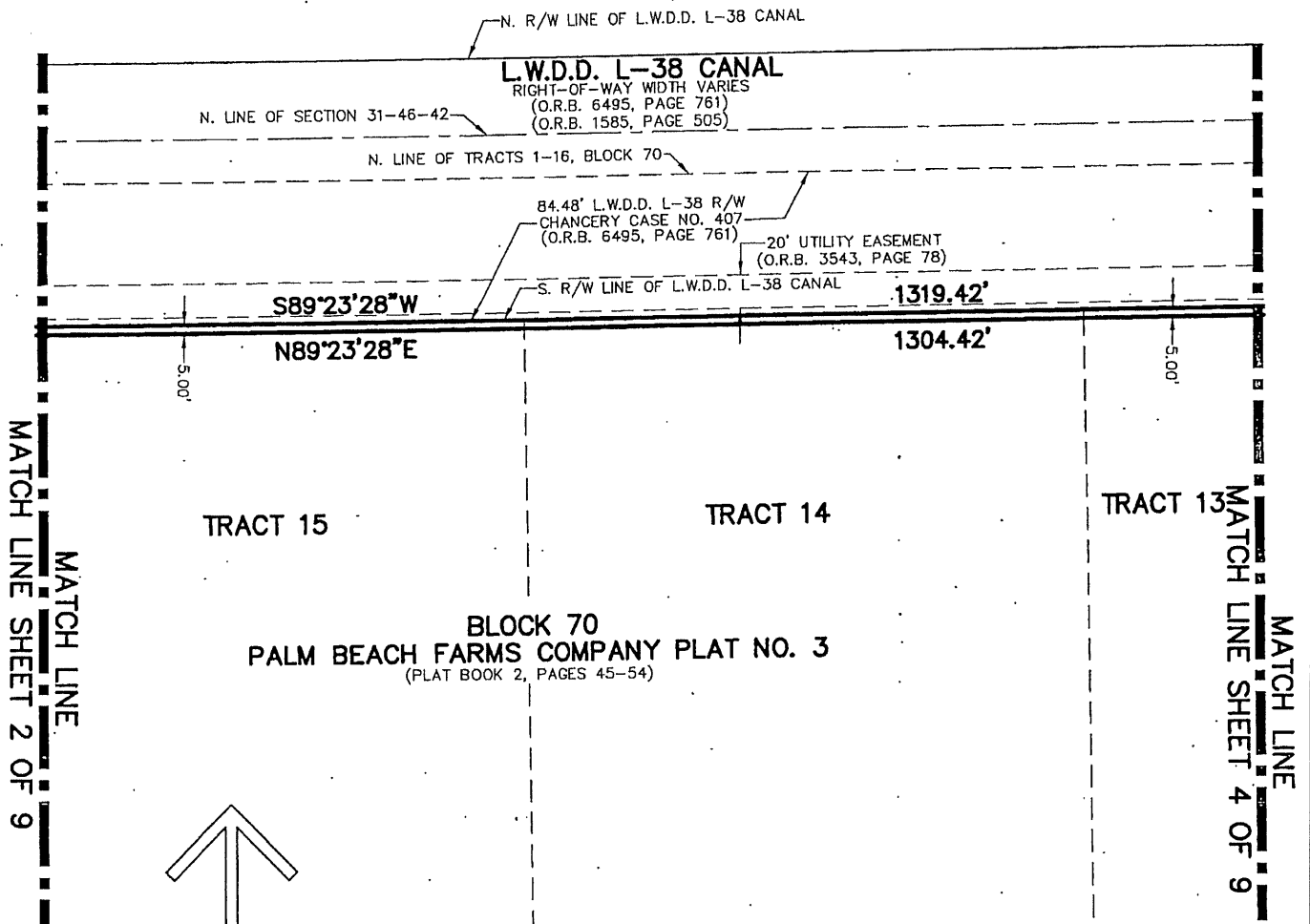
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 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7301A W. PALMETTO PARK ROAD - SUITE 100A
 BOCA RATON, FLORIDA 33433
 PHONE (561)-392-1991 / FAX (561)-750-1452



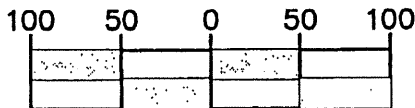
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APPOLONIA FARMS
 PALM BEACH COUNTY UTILITY EASEMENT
 SKETCH OF DESCRIPTION

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 PALM BEACH FARMS CO. PLAT NO. 1
 (PLAT BOOK 2, PAGES 26-28)



BLOCK 70
 PALM BEACH FARMS COMPANY PLAT NO. 3
 (PLAT BOOK 2, PAGES 45-54)

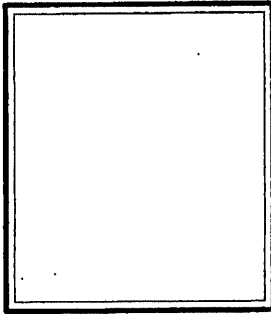


GRAPHIC SCALE
 (IN FEET)

SHEET 3 OF 9

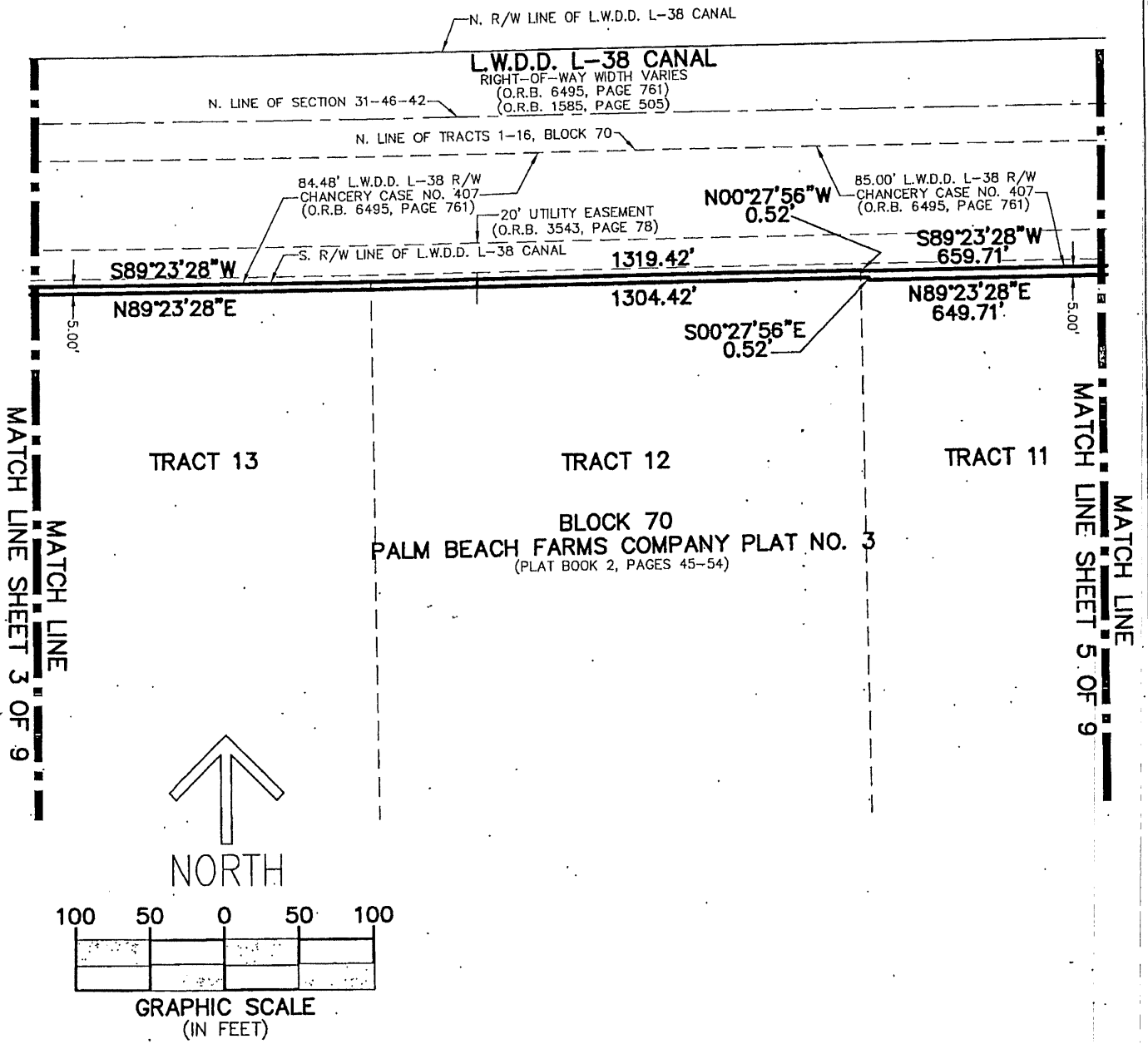
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APPOLONIA FARMS
 PALM BEACH COUNTY UTILITY EASEMENT
 SKETCH OF DESCRIPTION



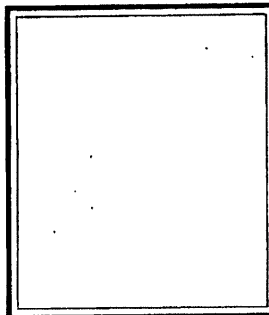
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SECTION 30-46-42
PALM BEACH FARMS CO. PLAT NO. 1
 (PLAT BOOK 2, PAGES 26-28)



SHEET 4 OF 9

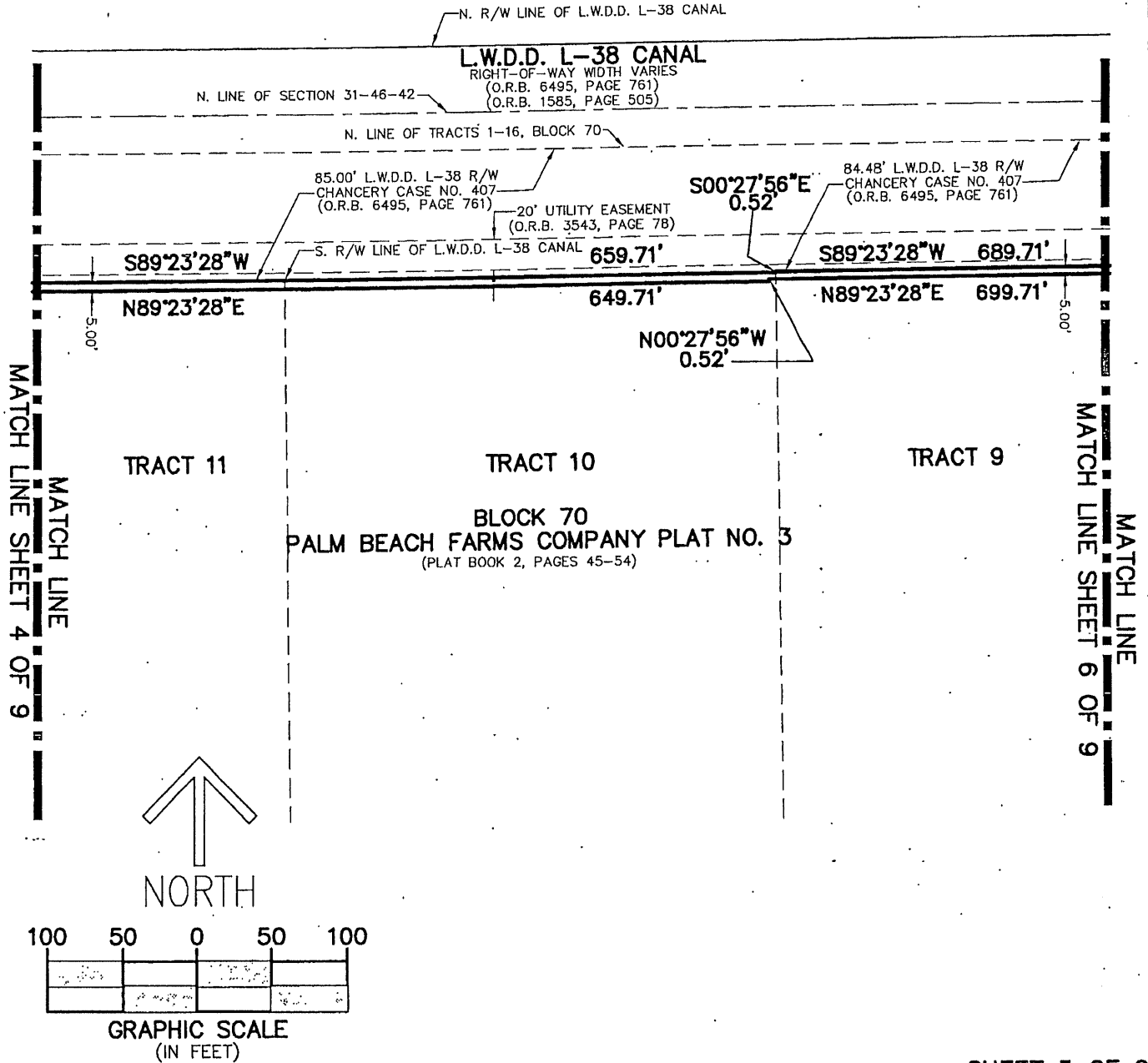
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	BOCA RATON, FLORIDA 33433 PHONE (561)-392-1991 / FAX (561)-750-1452



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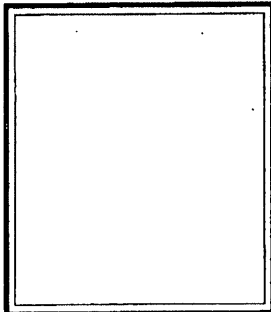
APPOLONIA FARMS
PALM BEACH COUNTY UTILITY EASEMENT
SKETCH OF DESCRIPTION

SECTION 30-46-42
 PALM BEACH FARMS CO. PLAT NO. 1
 (PLAT BOOK 2, PAGES 26-28)



SHEET 5 OF 9

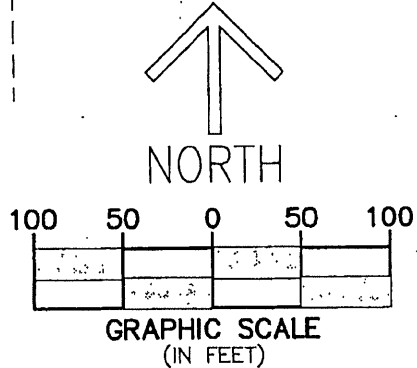
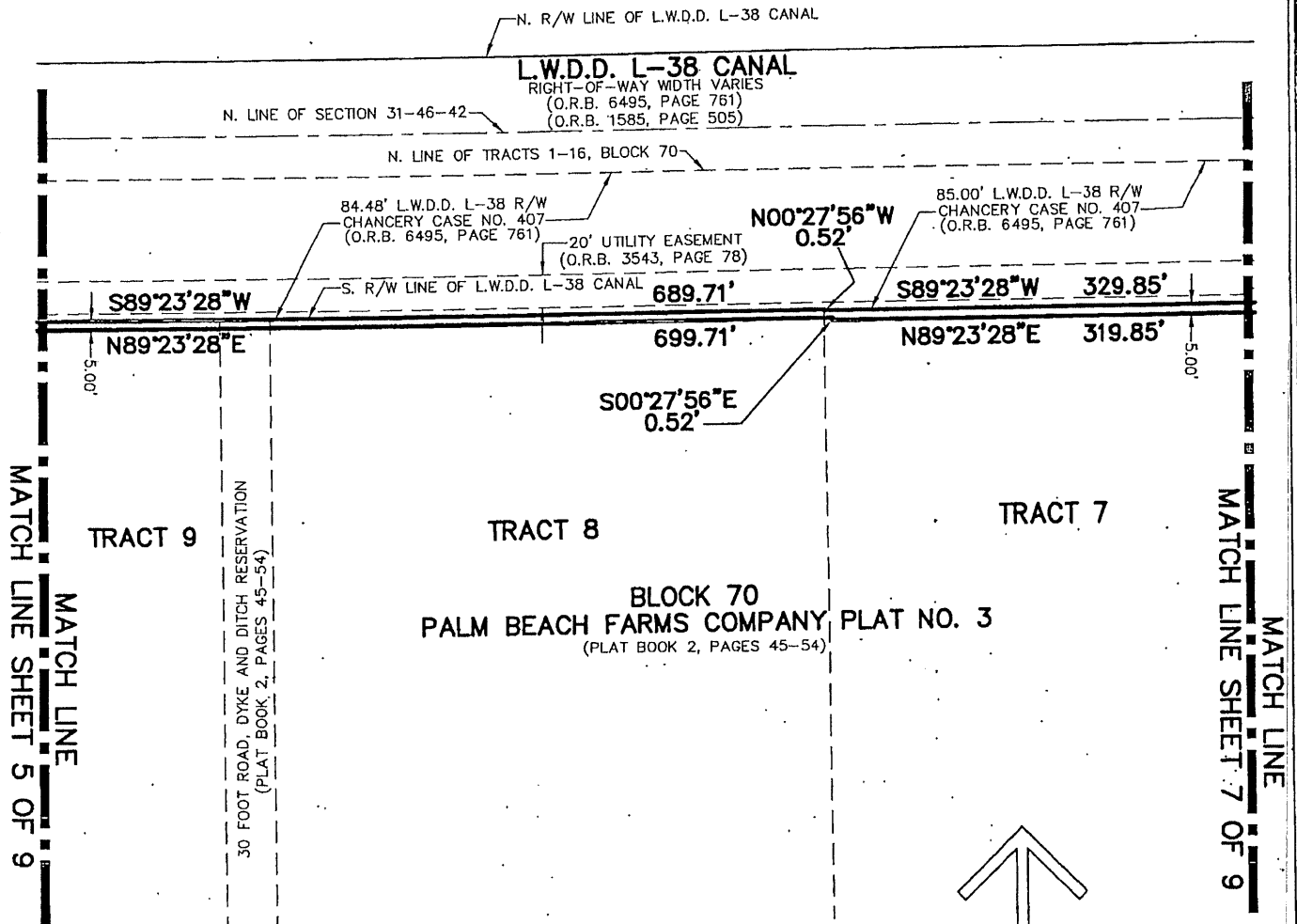
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F.B. / PG.	N/A
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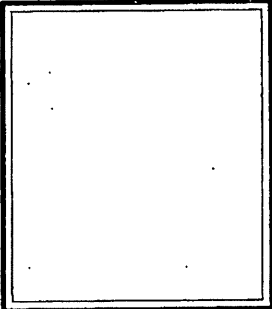
APPOLONIA FARMS
 PALM BEACH COUNTY UTILITY EASEMENT
 SKETCH OF DESCRIPTION

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SHEET 6 OF 9

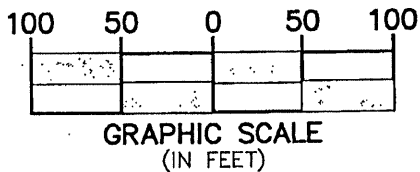
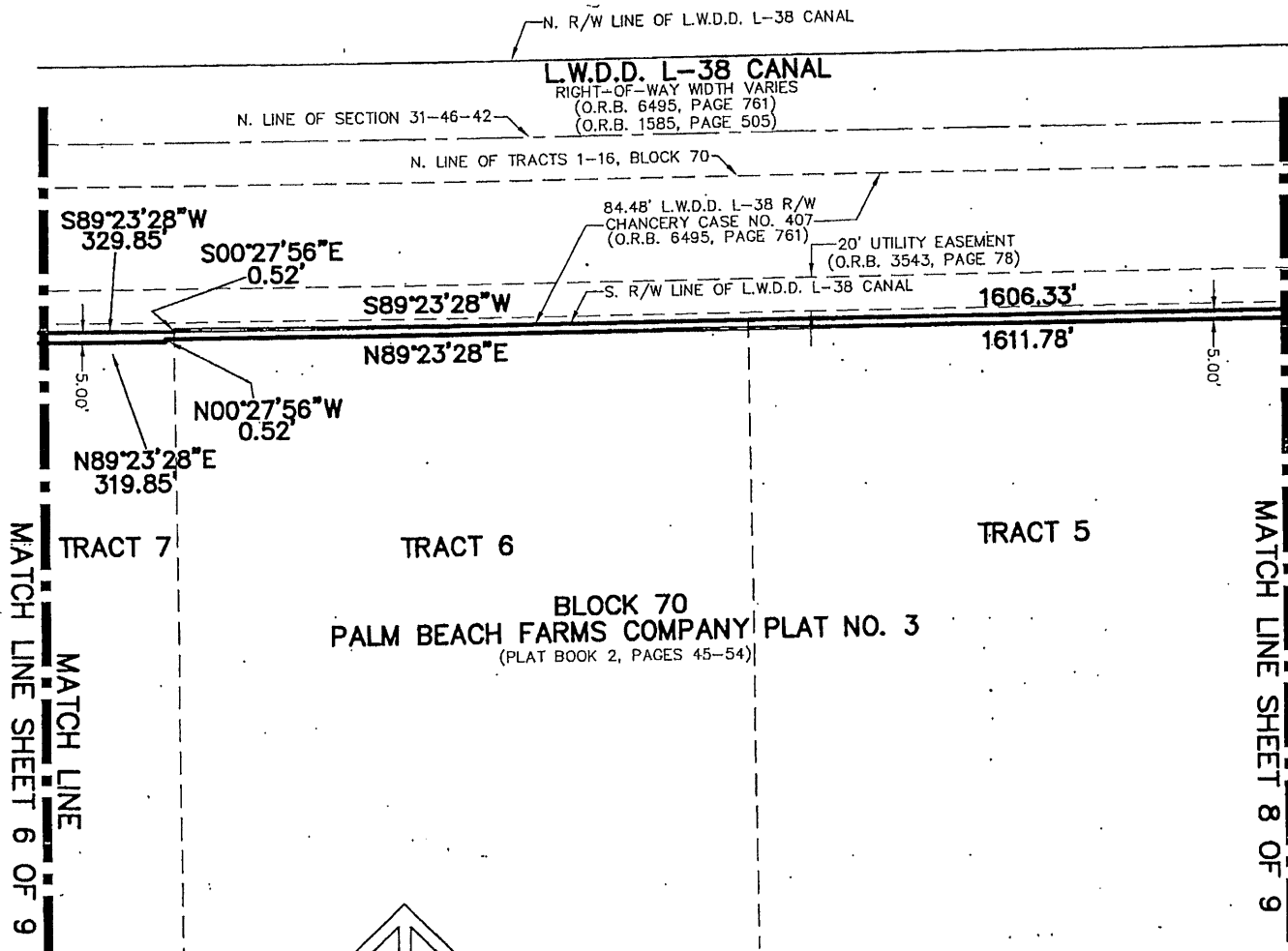
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F.B./ PG.	N/A
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JOB NO.	4682PBCUE

APPOLONIA FARMS
PALM BEACH COUNTY UTILITY EASEMENT
SKETCH OF DESCRIPTION

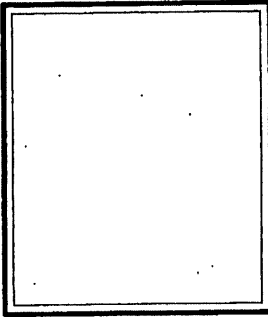
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SHEET 7 OF 9

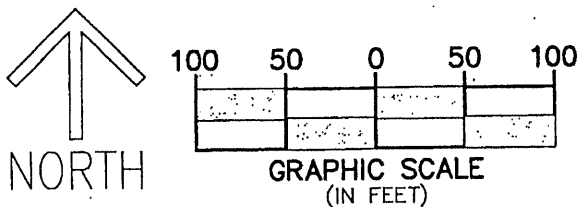
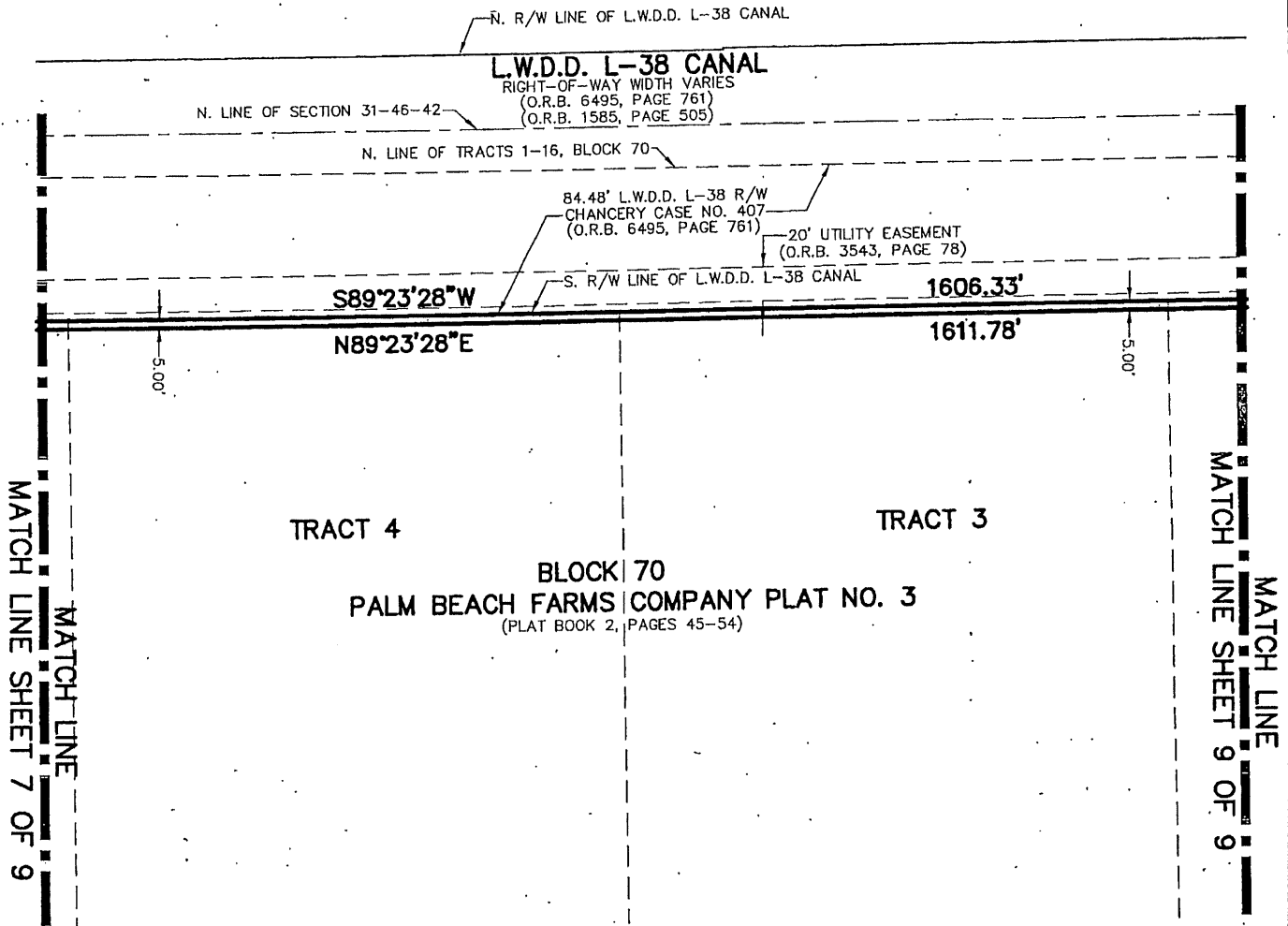
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 7301A W. PALMETTO PARK ROAD - SUITE 100A
 BOCA RATON, FLORIDA 33433
 PHONE (561)-392-1991 / FAX (561)-750-1452

APPOLONIA FARMS
 PALM BEACH COUNTY UTILITY EASEMENT
 SKETCH OF DESCRIPTION



DATE	12/21/09
DRAWN BY	JC
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	4682PBCUE

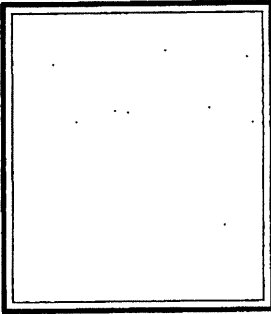
SECTION 30-46-42
 PALM BEACH FARMS CO. PLAT NO. 1
 (PLAT BOOK 2, PAGES 26-28)



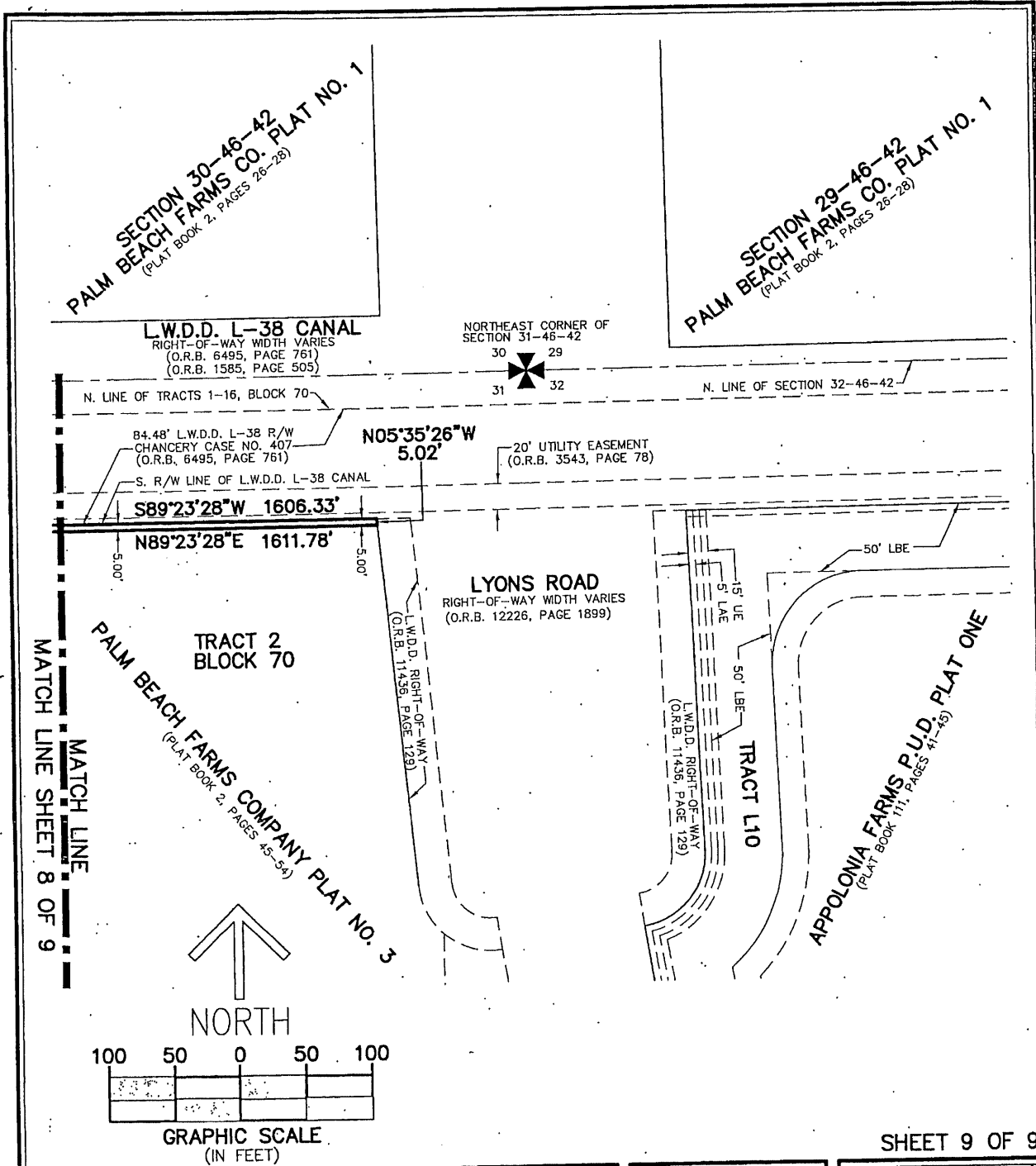
SHEET 8 OF 9

CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND PLANNING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7301A W. PALMETTO PARK ROAD - SUITE 100A
 BOCA RATON, FLORIDA 33433
 PHONE (561)-392-1991 / FAX (561)-750-1452

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 PALM BEACH COUNTY UTILITY EASEMENT
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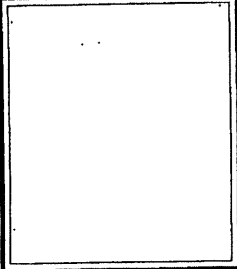


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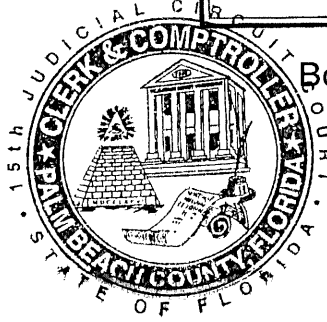
SHEET 9 OF 9

CAULFIELD & WHEELER, INC.
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**APPOLONIA FARMS
PALM BEACH COUNTY UTILITY EASEMENT
SKETCH OF DESCRIPTION**



Book23941/Page1960

Page 12 of 12

I hereby certify the foregoing is a true copy of the record in my office with redactions, if any as required by law as of this day, Nov 07, 2017.
Sharon R. Bock, Clerk and Comptroller, Palm Beach County, Florida
BY Deputy Clerk

This instrument was prepared by:
MARIO D. CARBALLO, ESQ.
25 West Flagler Street
Miami, Florida 33130



CFN 20130001480
OR BK 25689 PG 0466
RECORDED 01/02/2013 16:02:14
Palm Beach County, Florida
AMT 75,000,000.00
Doc Stamp 525,000.00
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0466 - 468; (3pgs)

After recording, return to:
Kimberly S. LeCompte, Esq.
Greenberg Traurig, P.A.
333 S.E. 2nd Avenue
Miami, Florida 33131

W/C Box No 42

TRUSTEE'S DEED

THIS INDENTURE, made this 28th day of December, 2012 between CITY NATIONAL BANK OF FLORIDA, as Trustee, under the provisions of a certain Trust Agreement, dated the 3th day of March, 2002, known as Land Trust Number 2401-1097-00, party of the first part, and BOCA RATON ASSOCIATES VII, LLLP, a Florida limited liability limited partnership, party of the second part, whose address is: 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of (\$10.00) Ten Dollars and no/100^{ths} and other valuable consideration in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, hath remise, release, and quit claim unto the said party of the second part, and its successors and assigns forever, all the estate, right, title, lien, equity, interest, claim and demand which the said party of the first part hath in and to the following described lots, pieces, or parcels of land, situate, lying and being in the County of Palm Beach, State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Folio No(s). 00-42-43-27-05-070-0011
00-42-43-27-05-070-0160

THIS CONVEYANCE is subject to: (a) taxes and assessments for the year 2013 and subsequent years; (b) all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; and (c) easements, conditions, restrictions, matters, limitations and reservations of record, if any, but this reference shall not operate to reimpose same.

TO HAVE AND TO HOLD the same together with all singular and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right title, lien, interest and claim whatsoever of the said party of the first part, with in

law or equity, to the only proper use, benefit and behoof of the party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its Executive Vice President and Trust Officer and its corporate seal to be affixed the day and year above written.

CITY NATIONAL BANK OF FLORIDA EXECUTES THIS INSTRUMENT SOLELY AS TRUSTEE UNDER LAND TRUST No. 2401-1097-00 AND NOT INDIVIDUALLY AND NO PERSONAL JUDGMENT OR DECREE SHALL EVER BE SOUGHT OR OBTAINED AGAINST THE SAID BANK BY REASON OF THIS INSTRUMENT.

Witnesses:

CITY NATIONAL BANK OF FLORIDA, as Trustee under the provisions of a certain Trust known as Trust No. 2401-1097-00

Barbara Rodriguez
Name: Barbara Rodriguez

Gloria Pelaez-Cabouli
Name: Gloria Pelaez-Cabouli

By: *Mario D. Carballe*
MARIO D. CARBALLO, Trust Officer

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

This foregoing instrument was acknowledged before me this 28 day of December, 2012 by MARIO D. CARBALLO as Trust Officer of CITY NATIONAL BANK OF FLORIDA, as Trustee under Trust No. 2401-1097-00, who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal at Miami, Miami-Dade County, Florida, this 28 day of December, 2012.

Gloria Pelaez-Cabouli
Notary Public, State of Florida

My Commission Expires:

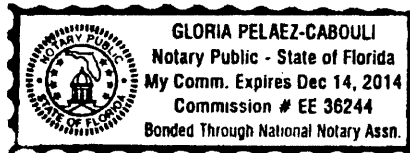


EXHIBIT "A"

A portion of Block 70, PALM BEACH FARMS COMPANY PLAT NO. 3, according to the plat thereof as recorded in Plat Book 2, Pages 45 through 54, of the Public Records of Palm Beach County, Florida, more particularly described as follows:

Tracts thru 15, inclusive, less the right-of-way for Lake Worth Drainage District Lateral Canal No. 38; also less those portions described in Official Records Book 22302, Page 1590; less the right-of-way for Lyons Road as recorded in Official Records Book 12226, Page 1899, and less that portion lying East of the East right-of-way for said Lyons Road; Tracts 18 thru 31, inclusive, Tract 32, less the right-of-way for said Lyons Road and less that portion of Tract 32 lying East of the East right-of-way line of said Lyons Road; Tract 33, less the right-of-way for said Lyons Road; Tracts 34 thru 47, inclusive; Tract 49, less the right-of-way for Lake Worth Drainage District E-1 Canal; Tracts 50 thru 64, less the right-of-way for said Lyons Road, all lying in Block 70, of PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof as recorded in Plat Book 2, Pages 45 thru 54, inclusive, of the Public Records of Palm Beach County, Florida, together with that portion of the road rights-of-way as described in Quit-Claim Deed recorded in Official Records Book 9343, Page 73, and as shown on the said plat of THE PALM BEACH FARMS CO. PLAT NO. 3 as contained within the above described parcel, less the rights-of-way for Lake Worth Drainage District Canals as described herein and less the right-of-way for said Lyons Road; Tracts 16, 17 and 18, less the right-of-way for Lake Worth Drainage District Canal E-1, Less and Except any portion thereof lying within the right of way of U.S. 441, all being in Block 70, THE PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof as recorded in Plat Book 2, Pages 45 thru 54, of the Public Records of Palm Beach County, Florida.