

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 10, 2018 **Consent** **Regular**
 Ordinance **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Utility Easement in favor of the City of Lake Worth to support John Prince Park.

Summary: The Palm Beach County Parks Department has developed 4.2 acres within John Prince Park on the north side of 6th Avenue South for a five (5) pen dog park, which has been named Lake Woof Dog Park. The dog park is located along the southwest shore of Lake Osborne and features five (5) potable water drinking fountains with multiple taps to accommodate both dogs and their owners. Each separate pen includes a drinking fountain. This easement is required for the water lines serving the water fountains. This easement is approximately 1,513’ long by 15’ – 23’ wide and covers an approximate area of 22,933 square feet (0.53 acres). The non-exclusive easement will be granted to the City of Lake Worth at no charge since this easement is required by the City as a condition of providing water service. This non-exclusive easement will be recorded to document its existence and location. **(PREM) District 3 (HJF)**

Background and Justification: The Palm Beach County Parks and Recreation Department is answering the need for a dog park in central Palm Beach County where dog owners may take their animals to run within a portion of John Prince Park. The water and sewer lines are on the north side of 6th Avenue South running through the dog park site. The construction of the dog park and the renovation of a nearby cricket field was completed last summer.

Attachments:

1. Location Map
2. Utility Easement (w/Exhibit “A”)

Recommended By:	 Department Director	3/15/18 Date
Approved By:	 County Administrator	3/20/18 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>_____*</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____


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

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

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


* No fiscal impact.

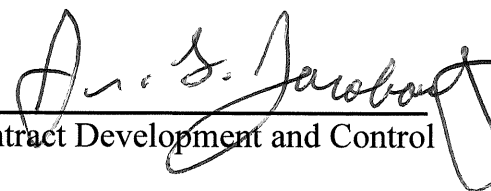
Fixed Asset Number _____

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 3/20/18
 OFMB 3/30 7/3/19

 3/22/18
 Contract Development and Control

B. Legal Sufficiency:

 3/23/18
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

TWP 44

TWP 44

TWP 45



25

26

27

RNG 43

See pg 99

RNG 43

ATTACHMENT 1

LOCATION MAP



ATTACHMENT 2
Utility Easement with Exhibit "A"
9 Pages Inclusive

Return To:
Peter Banting, Real Estate Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

Property Control Number: 00-43-44-28-00-001-3020 & 00-43-44-29-00-002-0040

UTILITY EASEMENT

THIS INDENTURE, made _____, by **PALM BEACH COUNTY**, by and through its Board of County Commissioners, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, ("COUNTY"), in favor of the **CITY OF LAKE WORTH**, a municipal corporation of the State of Florida, whose address is 7 North Dixie Highway, Lake Worth, Florida 33460 (CITY).

WITNESSETH:

That the COUNTY for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the CITY, its successors and assigns, upon the conditions hereinafter set forth, a perpetual non-exclusive easement for the construction, operation and maintenance of underground water mains, and appurtenances thereto, to be installed from time to time, or to be altered, improved, or removed therefrom and for the right to cut and keep clear trees, brush or undergrowth therefrom and all other obstructions that might endanger or interfere therewith, together with the right of ingress and egress thereto, over, across, through and upon, under or within that parcel of land located in Palm Beach County, Florida, described on **Exhibit "A"** attached hereto and made a part hereof as if recited at length (the "Easement Premises").

THE CONDITIONS OF THIS RIGHT OF USAGE ARE SUCH THAT:

1. The CITY shall cause the water mains and their appurtenances to be constructed within the confines of the Easement Premises.
 2. The CITY hereby expressly agrees that in the event that the CITY, its successors and assigns, ceases to use the Easement Premises for the purposes herein expressed, the easement granted hereby shall become null and void, and all the right, title and interest in and to the Easement Premises shall revert to the COUNTY.
-

3. The CITY further expressly agrees to maintain in good condition and repair, at its sole cost and expense, its water mains and appurtenances within the Easement Premises at all times during the term hereof.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the COUNTY has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

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

By: _____
Deputy Clerk

By: _____
Melissa McKinlay, Mayor

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: 
Assistant County Attorney

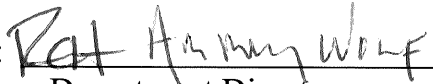
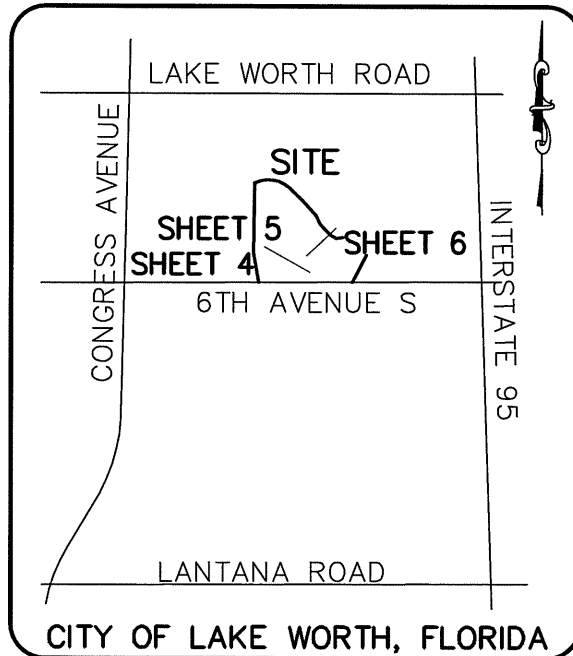
By: 
Department Director

Exhibit "A"

The Easement Premises



**SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 2, 3, 4, 5 & 6**



DESCRIPTION:

**LOCATION AND
SHEET KEY MAP**

N.T.S.

A UTILITY EASEMENT 15 FEET IN WIDTH SITUATED IN SECTION 29, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 6TH AVENUE SOUTH AS SHOWN ON ROAD PLAT BOOK 4, PAGES 61 THROUGH 64, INCLUSIVE, AND THE EAST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT LATERAL 13 (LWDD L-13) CANAL AS DESCRIBED IN OFFICIAL RECORD BOOK 1732, PAGE 612, BOTH RECORDING REFERENCES BEING OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 08°52'26" WEST, A DISTANCE OF 33.20 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 08°52'26" WEST, A DISTANCE OF 22.52 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, NORTH 32°53'53" EAST, A DISTANCE OF 81.19 FEET; THENCE NORTH 76°42'37" EAST, A DISTANCE OF 179.78 FEET; THENCE NORTH 34°16'30" EAST, A DISTANCE OF 93.24 FEET; THENCE NORTH 55°31'00" EAST, A DISTANCE OF 17.71 FEET; THENCE NORTH 34°36'07" WEST, A DISTANCE OF 7.56 FEET; THENCE NORTH 55°23'53" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 34°36'07" EAST, A DISTANCE OF 7.59 FEET; THENCE NORTH 55°31'00" EAST, A DISTANCE OF 100.27 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 686.82 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 84°58'46" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°06'06", AN ARC DISTANCE OF 228.98 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 489.49 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 63°46'19" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°43'40", AN ARC DISTANCE OF 194.17 FEET TO

DESCRIPTION CONTINUED ON SHEET 2

EXHIBIT "A"

SHEET NO.	1	DATE	1/31/2018
	6	SCALE	N/A
		CAD FILE	15089.01SK01
		PROJECT	15089.01
		DRAWN	STAFF
		CHECKED	K.BECK
JOB NO.	15089.01		

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**SKETCH AND DESCRIPTION
FOR LAKE WORTH WATER UTILITY
WATER LINE EASEMENT
JOHN PRINCE PARK**

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EXHIBIT "A"

DESCRIPTION CONTINUED

THE POINT OF TANGENCY; THENCE NORTH 48°57'21" EAST, A DISTANCE OF 14.29 FEET; THENCE NORTH 42°36'23" WEST, A DISTANCE OF 51.00 FEET; THENCE NORTH 47°23'37" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 42°36'23" EAST, A DISTANCE OF 70.95 FEET; THENCE SOUTH 42°59'07" EAST, A DISTANCE OF 283.73 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1987.24 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 6°23'40", AN ARC DISTANCE OF 221.78 FEET; THENCE SOUTH 36°52'36" WEST, A DISTANCE OF 22.55 FEET; THENCE NORTH 53°07'24" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 36°52'36" EAST, A DISTANCE OF 8.55 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2002.24 FEET FROM WHICH A RADIAL LINE BEARS NORTH 41°01'21" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°59'32", AN ARC DISTANCE OF 209.40 FEET TO THE POINT OF TANGENCY; THENCE NORTH 42°59'07" WEST, A DISTANCE OF 283.78 FEET; THENCE SOUTH 48°57'21" WEST, A DISTANCE OF 14.73 FEET; THENCE NORTH 42°17'53" WEST, A DISTANCE OF 5.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 474.49 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 41°02'39" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°41'41", AN ARC DISTANCE OF 187.94 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 671.82 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 65°54'05" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°40'44", AN ARC DISTANCE OF 230.74 FEET; THENCE SOUTH 55°31'00" WEST, A DISTANCE OF 137.29 FEET; THENCE SOUTH 34°16'30" WEST, A DISTANCE OF 96.25 FEET; THENCE SOUTH 76°42'37" WEST, A DISTANCE OF 179.57 FEET; THENCE SOUTH 32°53'53" WEST, A DISTANCE OF 90.95 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT LATERAL 13 (LWDD L-13) CANAL AND THE **POINT OF BEGINNING**.

CONTAINING 22933.34 SQUARE FEET OR 0.526 ACRES, MORE OR LESS.

SHEET NO.	2	DATE	1/31/2018
	6	SCALE	1"=60'
JOB NO.	15089.01	CAD FILE	15089.01SK01
CHECKED	K.BECK	PROJECT	15089.01
		DRAWN	STAFF

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NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.
2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. BEARINGS SHOWN HEREON ARE BASED ON A CALCULATED BEARING OF SOUTH 88°16'32" EAST BETWEEN PALM BEACH COUNTY CONTROL POINTS "PACERS" AND "GROVER", OTHER BEARINGS ARE RELATIVE THERETO.
5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF.
6. THIS SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17-050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THE PALM BEACH COUNTY'S STATE PLANE COORDINATES REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY'S PPM CW-0-058.
7. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE GRID, EAST ZONE, USING THE NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83-90). SCALE FACTOR: 1.0000434
 GROUND DISTANCE x SCALE FACTOR = GRID DISTANCE

LEGEND

LWDD	LAKE WORTH DRAINAGE DISTRICT
ORB	OFFICIAL RECORDS BOOK
PB	PLAT BOOK
PG(S)	PAGE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
RPB	ROAD PLAT BOOK
R/W	RIGHT-OF-WAY
UE	UTILITY EASEMENT
SF	SQUARE FEET

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.



JENNIFER MALIN, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA LICENSE NO. 6667
 STATE OF FLORIDA LB#6603

SHEET NO.	3	DATE	1/31/2018
	6	SCALE	N/A
JOB NO.	15089.01	CAD FILE	15089.01SK01
		PROJECT	15089.01
		DRAWN	STAFF
		CHECKED	K.BECK

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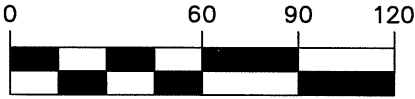
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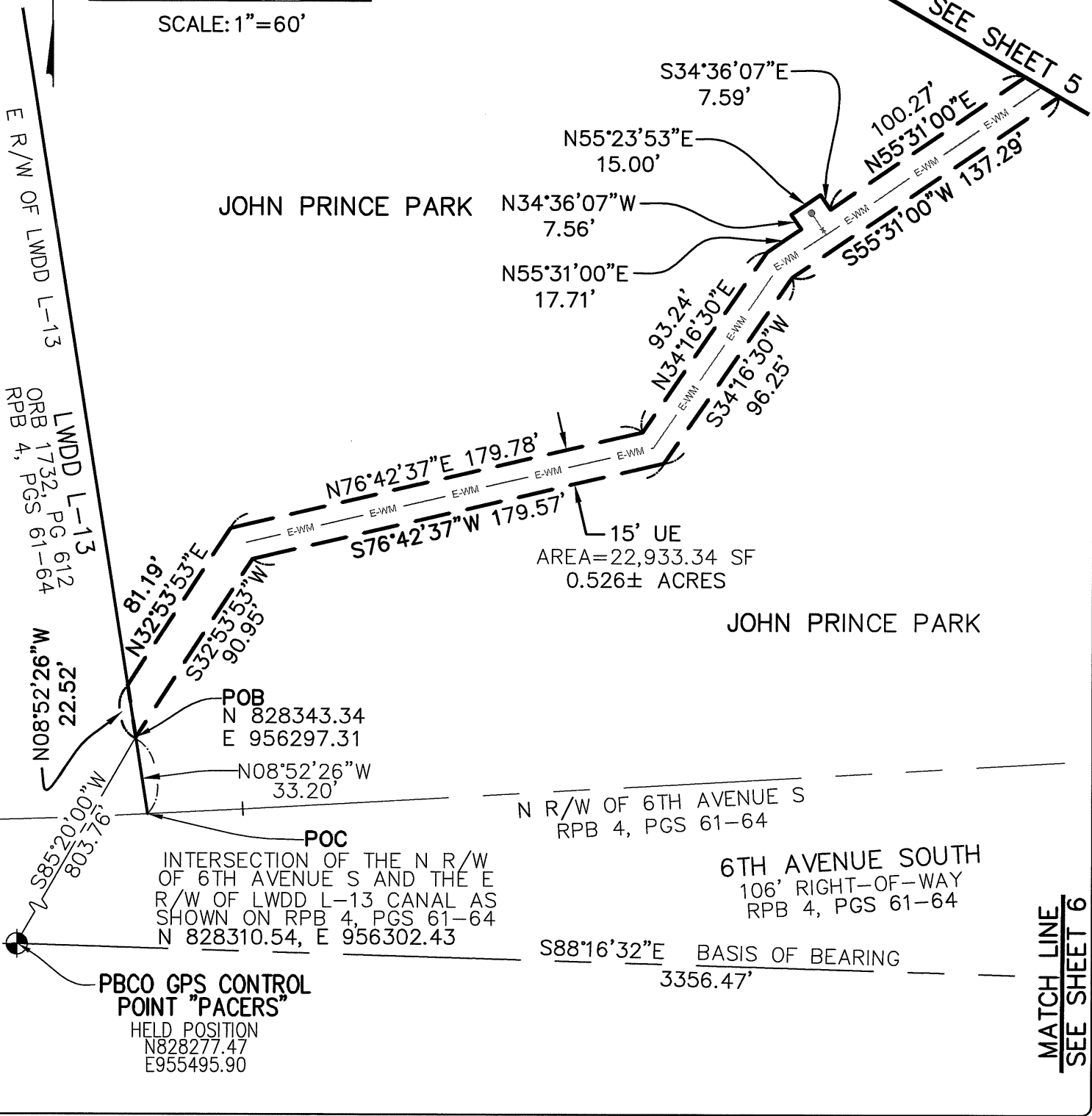
EXHIBIT "A"

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GRAPHIC SCALE



SCALE: 1" = 60'



MATCH LINE
SEE SHEET 6

SHEET NO. 4	DATE	1/31/2018
	SCALE	1" = 60'
	CAD FILE	15089.01SK01
	PROJECT	15089.01
SHEET NO. 6	JOB NO.	15089.01
	DRAWN	STAFF
	CHECKED	K.BECK

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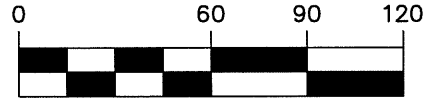
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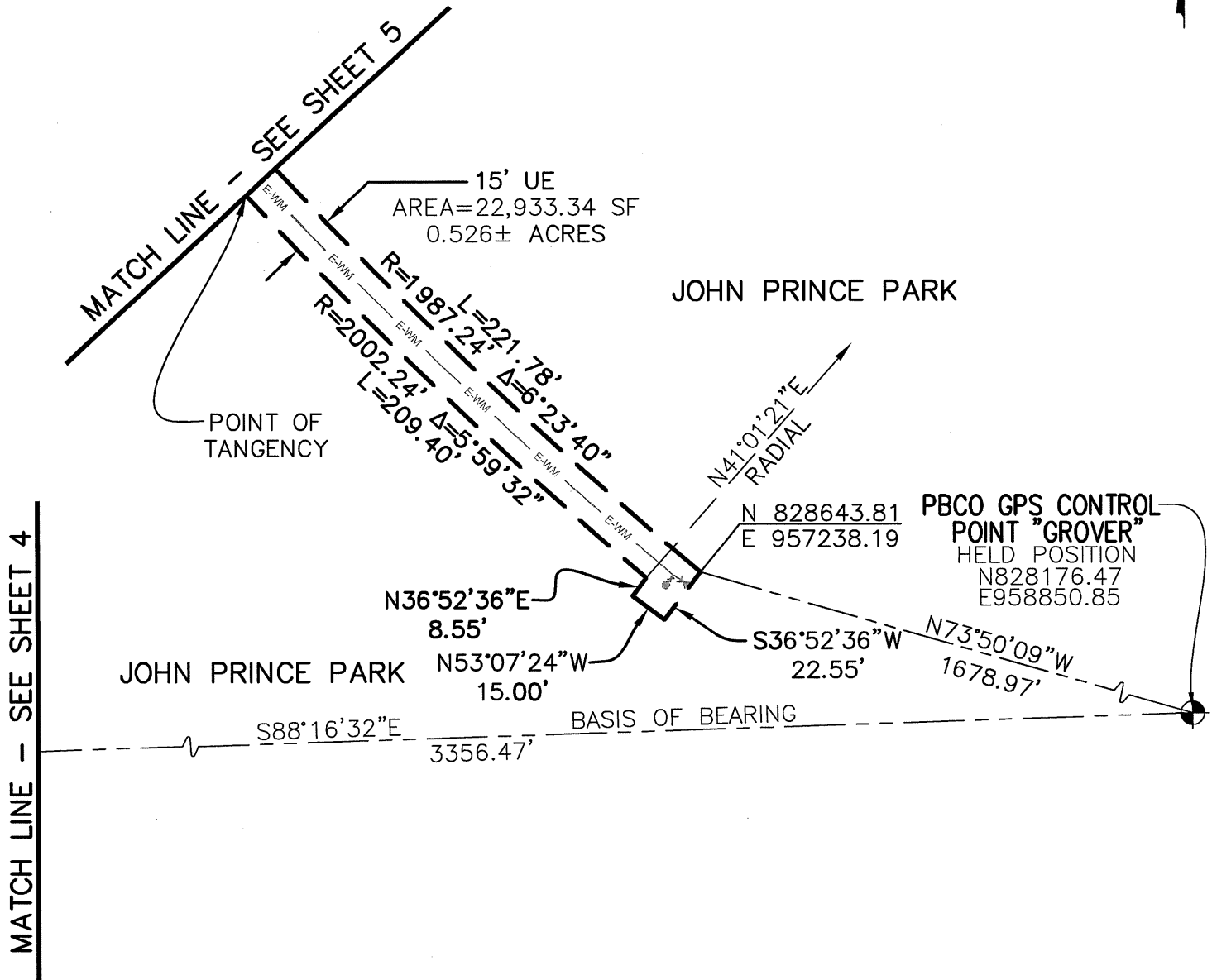
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GRAPHIC SCALE



SCALE: 1"=60'



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