

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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

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Department: Facilities Development & Operations

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: A Declaration of Easement over a portion of Fire Station No. 57 located within the Boca Lago PUD in unincorporated Palm Beach County.

**Summary:** The County’s Fire Station No. 57 is being replatted as part of a Pulte Home Company (Pulte) residential redevelopment project known as Boca Lago PUD Replat No. 1 – PULTE, all located within the Boca Lago PUD. The County’s Land Development Division is requiring that Pulte include the Fire Station in the replat to establish the site as a platted parcel. During County departmental review of the Pulte replat, the County’s Water Utility Department requested that PREM record a Declaration of Easement over an existing WUD lift station in the southwest corner of the Fire Station site. The easement area measures approximately 21’x32’ and covers an area of 680 square feet (.02 acres). The easement will be recorded to provide public notice of its existence and location. (PREM) District 5 (HJF)

**Background and Justification:** In 1980, Palm Beach County acquired 2.5 acres from Boca Lago Associates, LTD, the original developer of the Boca Lago PUD, located west of Lyons Road and just north of Palmetto Park Road, in western Boca Raton. The 2.5 acres was a cutout of a larger Government Service set aside parcel located within the PUD. In 2002, County Fire Rescue constructed a fire station on the 2.5 acres. A portion of the PUD abuts the Fire Station site and is being redeveloped by Pulte. The County’s Land Development Division is requiring that the Fire Station site be included in the Pulte residential replat in order to establish the Fire Station site as a platted parcel. The County’s Water Utility Department is taking this opportunity to request that PREM process a Declaration of Easement over the existing lift station located within the Fire Rescue site.

**Attachments:**

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

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Recommended By:                      3/15/18  
   Department Director                    Date

Approved By:                     3/26/18  
   County Administrator                    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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	* =====	=====	=====	=====	=====
No. 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: Ken Speer 3/16/18

**III. REVIEW COMMENTS**

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

Ken P... 3/24/18  
 OFMB  
 3/20 3/3/19

Ann J. Jacobson 3/22/18  
 Contract Development and Control

**B. Legal Sufficiency:**

[Signature] 3/23/18  
 Assistant County Attorney

**C. Other Department Review:**

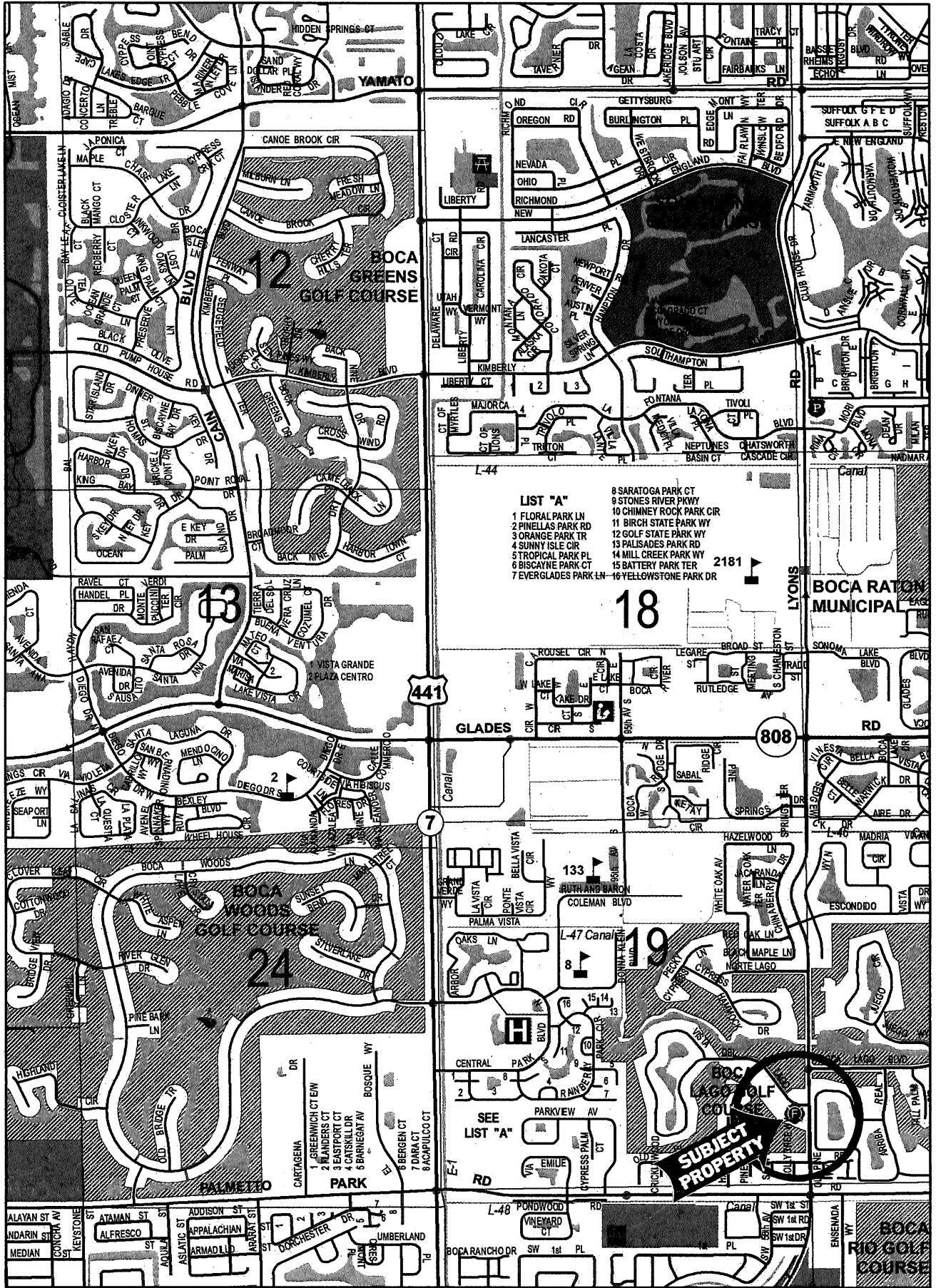
\_\_\_\_\_  
 Department Director

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

TWP 47

TWP 47

TWP 47



- LIST "A"**
- 1 FLORAL PARK LN
  - 2 PINELLAS PARK RD
  - 3 ORANGE PARK TR
  - 4 SUNNY ISLE CIR
  - 5 TROPICAL PARK PL
  - 6 BISAYNE PARK CT
  - 7 EVERGLADES PARK LN
  - 8 SARATOGA PARK CT
  - 9 STONES RIVER PKWY
  - 10 CHIMNEY ROCK PARK CIR
  - 11 BIRCH STATE PARK WY
  - 12 GOLF STATE PARK WY
  - 13 PALSADES PARK RD
  - 14 MILL CREEK PARK WY
  - 15 BATTERY PARK TER
  - 16 YELLOWSTONE PARK DR

**BOCA LAGO GOLF COURSE**

**SUBJECT PROPERTY**

RNG 41

See pg 128

RNG 42

**ATTACHMENT 1**  
**(PAGE 1 OF 1)**  
**LOCATION MAP**

II

**ATTACHMENT 2**

**DECLARATION OF EASEMENT with EXHIBIT "A"**

**6 PAGES INCLUSIVE**

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

PCN: 00-42-47-19-01-022-0010

## **DECLARATION OF EASEMENT**

**THIS IS A DECLARATION OF EASEMENT**, made \_\_\_\_\_, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida (“County”), whose address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605.

**WHEREAS**, County is the owner of that certain real property located within Palm Beach County, Florida as set forth on **Exhibit “A”** attached hereto and made a part hereof (the “Easement Premises”); and

**WHEREAS**, County desires to create an easement over, upon and under such property for the purposes set forth hereinafter; and

**WHEREAS**, County desires that such easement not be extinguished by the doctrines of merger or unity of title and remain valid and in effect upon a subsequent conveyance of the Property by County.

### **W I T N E S S E T H:**

**NOW THEREFORE**, County does hereby declare, grant and create a perpetual in gross utility easement for the benefit of County upon the Easement Premises. This easement shall be for the purpose of water and sewer utilities and shall include the right 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 easement or portion thereof can be utilized for a wastewater pump station and said pump station may be fenced in for access control purposes.

The easement created hereby shall not be extinguished by operation of law, including, without limitation, the doctrines of merger or unity of title and shall inure to the benefit of County and run with the land and encumber and burden the Property upon the conveyance thereof by County notwithstanding County’s failure to specifically reserve or reference such easement in the instrument of conveyance.

IN WITNESS WHEREOF, the County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:

COUNTY:

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"

DESCRIPTION:

A PORTION OF GOVERNMENT SERVICE AREA, REPLAT OF BOCA LAGO (P.B. 30, PP. 244-253), AS RECORDED IN PLAT BOOK 31, PAGES 62 THROUGH 71 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT SERVICE AREA; THENCE, ALONG THE SOUTH LINE OF SAID GOVERNMENT SERVICE AREA, SOUTH 68°57'00" EAST, A DISTANCE OF 59.16 FEET TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID SOUTH LINE, NORTH 28°29'07" EAST, A DISTANCE OF 32.95 FEET; THENCE SOUTH 65°29'13" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 24°30'47" WEST, A DISTANCE OF 31.52 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID SOUTH LINE OF GOVERNMENT SERVICE AREA; THENCE, ALONG SAID SOUTH LINE, NORTH 68°57'00" WEST, A DISTANCE OF 22.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 680 SQUARE FEET/0.0156 ACRES MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.  
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 WERE ABSTRACTED BY DAVID BARKER THROUGH OCTOBER 17, 2017 AND THE ONLY PLATTABLE EXCEPTION OF RECORD IS THE FLORIDA POWER AND LIGHT COMPANY EASEMENT SHOWN WITHIN THE PROPOSED EASEMENT ON SHEET 4, THERE ARE NO OTHER PLOTTABLE EXCEPTIONS
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A RECORD PLAT BEARING OF SOUTH 68°57'00" EAST ALONG THE SOUTH LINE OF GOVERNMENT SERVICE AREA, REPLAT OF BOCA LAGO (P.B. 30, PP. 244-253) AS RECORDED IN PLAT BOOK 31, PAGES 62 THROUGH 71 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. THE SPECIFIC PURPOSE OF THIS SURVEY IS TO DELINEATE THE LANDS DESCRIBED HEREON.


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 FEBRUARY 26, 2018. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027 AND PALM BEACH COUNTY COORDINATE REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY PPM CW-0-058.

SHEET 1 OF 4



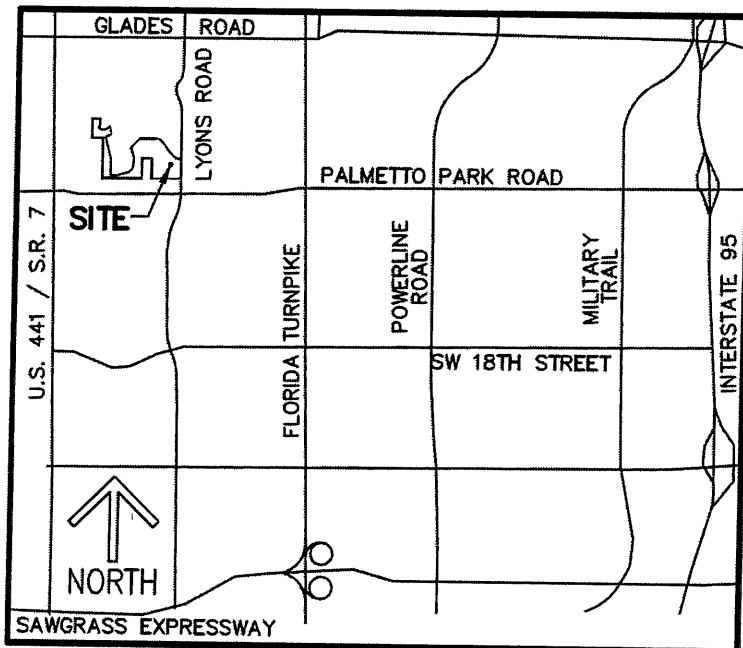
**CAULFIELD & WHEELER, INC.**  
 CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE - SURVEYING  
 7900 GLADES ROAD - SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452



DAVID P. LINDLEY  
 REGISTERED LAND  
 SURVEYOR NO. 5005  
 STATE OF FLORIDA  
 LB# 3591

DATE	2/26/18
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7211D0E3

**BOCA FLORES  
 DECLARATION OF EASEMENT  
 SKETCH OF DESCRIPTION**



**LOCATION MAP**  
NOT TO SCALE

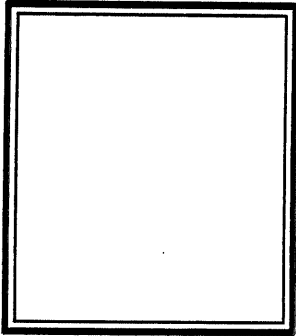
**NOTES**  
**COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
 DATUM = NAD 83 1990 ADJUSTMENT  
 ZONE = FLORIDA EAST  
 LINEAR UNIT = US SURVEY FEET  
 COORDINATE SYSTEM 1983 STATE PLANE  
 TRANSVERSE MERCATOR PROJECTION  
 ALL DISTANCES ARE GROUND  
 SCALE FACTOR = 1.0000195  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 BEARINGS AS SHOWN HEREON ARE GRID DATUM, NAD 83 1990  
 ADJUSTMENT, FLORIDA EAST ZONE.  
 COORDINATES SHOWN ON THE CONTROL PRM'S MEET OR  
 EXCEED THE LOCAL ACCURACY REQUIREMENTS OF A 2  
 CENTIMETER GEODETIC CONTROL SURVEY.

<p>WEST (PLAT BEARING)  <u>S89°35'00"W (GRID BEARING)</u>        SOUTH LINE OF THIS PLAT</p>	<p>00°25'00" = BEARING ROTATION        (PLAT TO GRID)        COUNTERCLOCKWISE</p>
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SHEET 2 OF 4

	<p><b>CAULFIELD &amp; WHEELER, INC.</b></p>
	<p>CIVIL ENGINEERING        LANDSCAPE ARCHITECTURE - SURVEYING        7900 GLADES ROAD - SUITE 100        BOCA RATON, FLORIDA 33434        PHONE (561)-392-1991 / FAX (561)-750-1452</p>



DATE	2/26/18
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7211D0E3

<p><b>BOCA FLORES</b>  <b>DECLARATION OF EASEMENT</b>  <b>SKETCH OF DESCRIPTION</b></p>
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FOUND PALM BEACH COUNTY BRASS DISK  
 STAMPED SR 7-36  
 N 738020.501  
 E 917090.319

FOUND PALM BEACH COUNTY BRASS DISK  
 STAMPED PBF 80  
 N 738864.776  
 E 922498.032

FOUND PALM BEACH COUNTY BRASS DISK  
 STAMPED PBF 80

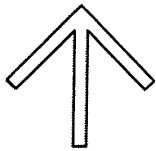
N81°07'35"E (GRID)  
 5473.10' (GROUND)  
 5473.22' (GRID)

S05°06'28"W (GRID)  
 4273.43' (GROUND)  
 4273.53' (GRID)

P.O.B.  
 N 734608.12  
 E 922117.56

**LEGEND/ABBREVIATIONS**

- E - EASTING
- LB - LICENSED BUSINESS
- N - NORTHING
- O.R.B. - OFFICIAL RECORD BOOK
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT



NORTH

NOT TO SCALE

SHEET 3 OF 4



**CAULFIELD & WHEELER, INC.**

CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE - SURVEYING  
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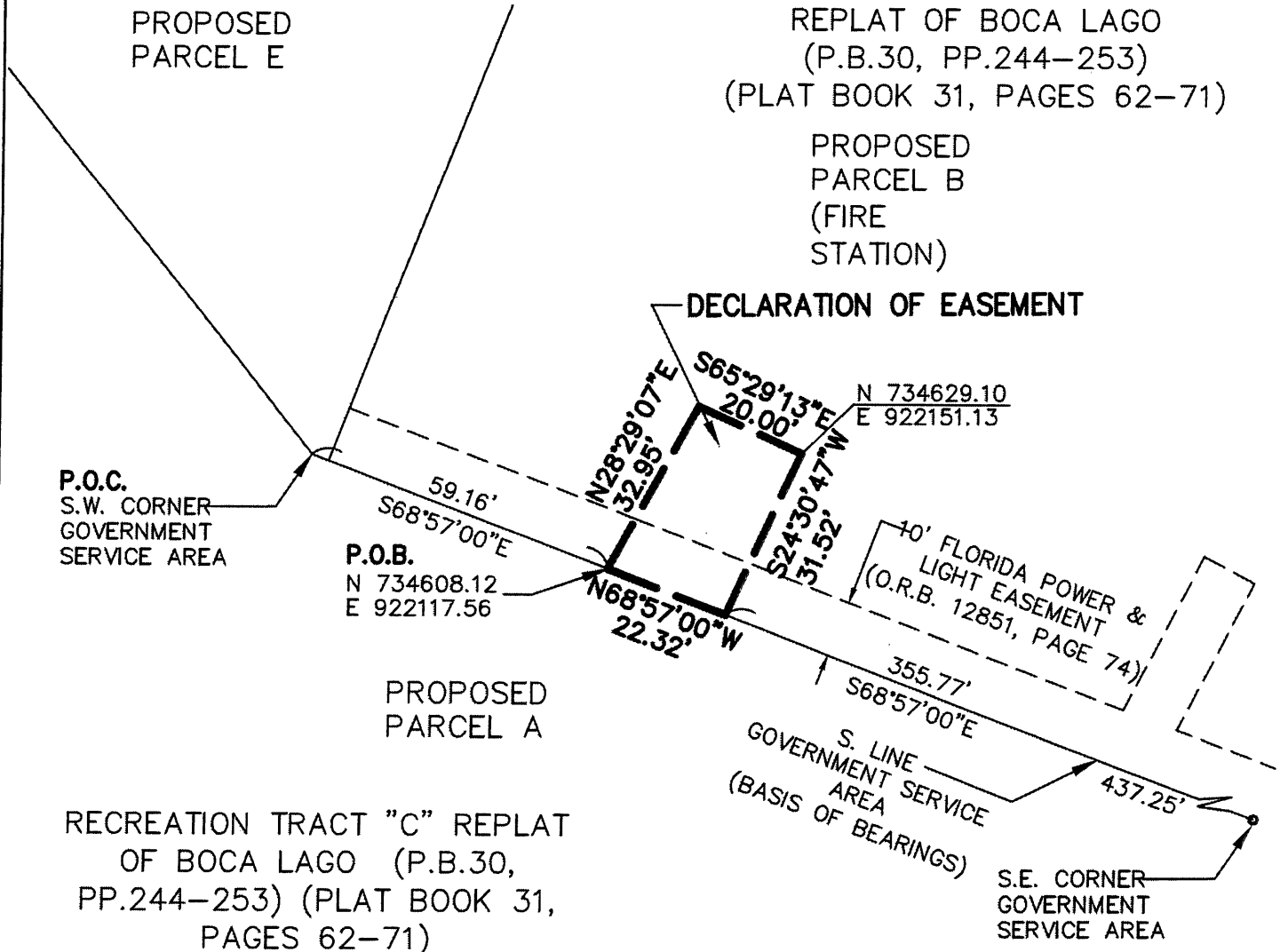
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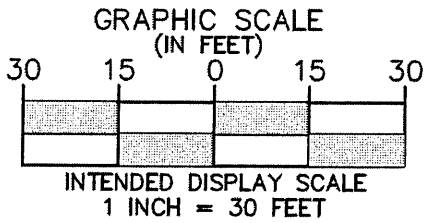
GOVERNMENT SERVICE AREA  
 REPLAT OF BOCA LAGO  
 (P.B.30, PP.244-253)  
 (PLAT BOOK 31, PAGES 62-71)

PROPOSED  
 PARCEL B  
 (FIRE  
 STATION)

DECLARATION OF EASEMENT



RECREATION TRACT "C" REPLAT  
 OF BOCA LAGO (P.B.30,  
 PP.244-253) (PLAT BOOK 31,  
 PAGES 62-71)



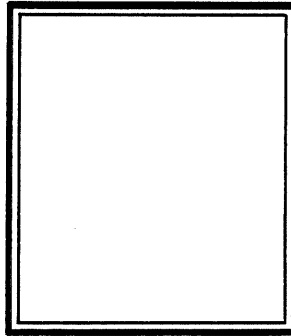
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SHEET 4 OF 4

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