

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 14, 2018

Consent ☒ Regular ☐
Public Hearing ☐

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the partial release of a utility easement over property owned by Lantana Charter, LLC (Property Owner).

Summary: The Property Owner has requested the release of the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County, ORB 25381, Page 1302. During the redevelopment of the site, portions of the existing public water facilities were found to be no longer required. As a result, a portion of the existing utility easement is no longer required. The Water Utilities Department has determined that the partial release of easement will not affect existing or new water and wastewater facilities and therefore recommends the release. District 3 (MJ)

Background and Justification: On August 10, 2012, a utility easement was granted to the County for public water and wastewater facilities associated with the development of the property identified by PCN 00-42-44-41-08-001-0000. Upon redevelopment some existing public water facilities were removed that were no longer required. The Property Owner is requesting release of the portion of Easement that is no longer associated with any public water and wastewater facilities.

Attachments:

1. Location Map
2. Two (2) Original Partial Release of Utility Easement w/ Exhibit "A"
3. Original Utility Easement (ORB 25381/PG 1302)
4. Copy of Warranty Deed (ORB 18044/PG 2000)
5. Copy of Warranty Deed (ORB 21741/PG 1229)

Recommended By: Jim Stiles 7-16-18
Department Director Date

Approved By: Will J. Balcer 8/6/18
Assistant 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>
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>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</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? N/A 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:

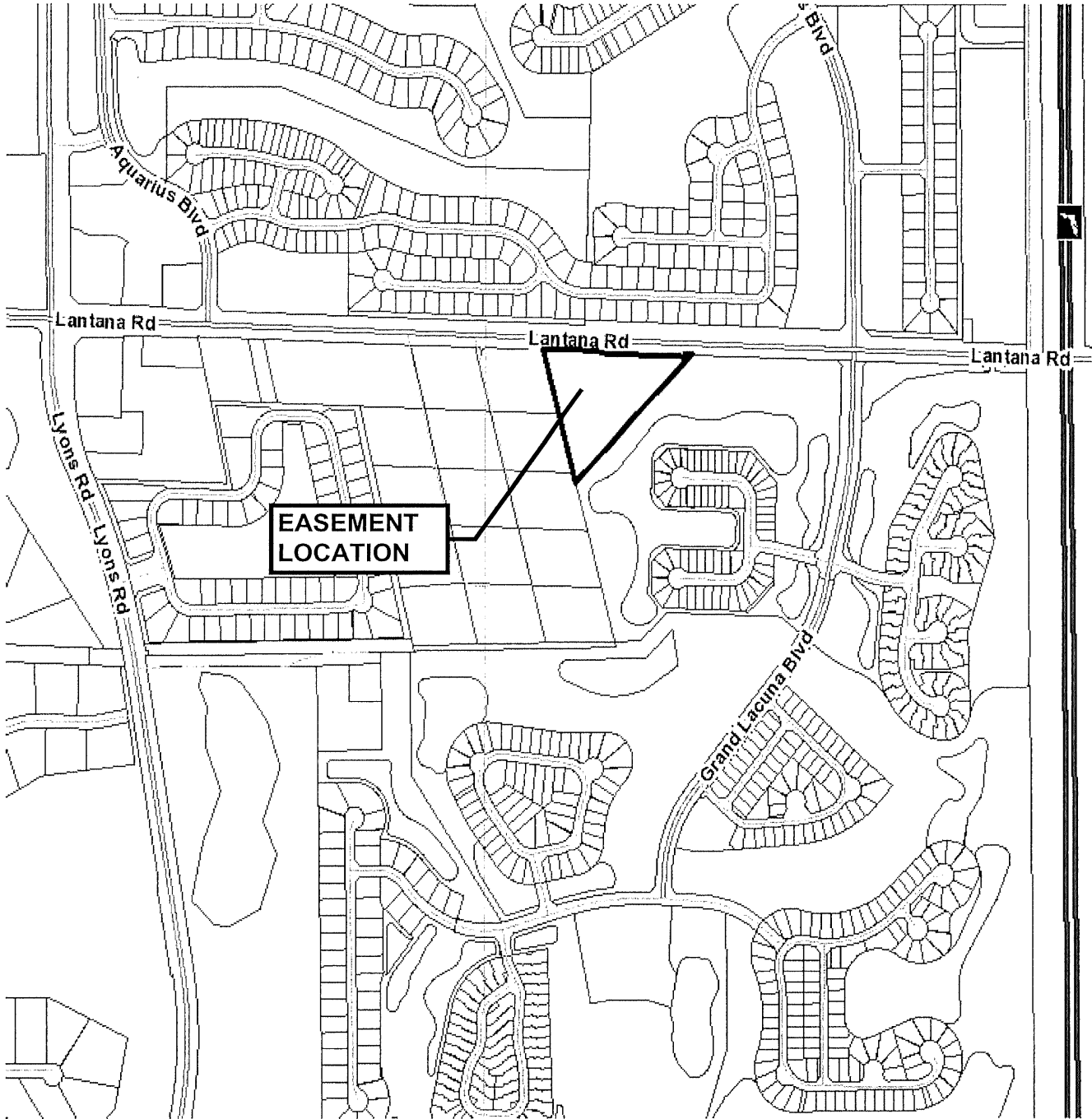
[Signature] 7/19/18 OFMB [Signature] 7/19/18 [Signature] 7/18 SP 7/18 Contract Development and Control [Signature] 7/26/18

B. Legal Sufficiency: [Signature] 8/6/18
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

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL 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 Lantana Charter, LLC, whose address is 8400 Lantana Road, Lake Worth, FL 33467:

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 portion of that UTILITY EASEMENT recorded in Official Records Book 25381 Page 1302, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A" to the second party.

IN WITNESS WHEREOF the first party has caused this PARTIAL 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

DESCRIPTION & SKETCH PREPARED FOR: LANTANA CHARTER, LLC	EXHIBIT 'A'
ABANDONMENT OF A PORTION OF A 20' UTILITY EASEMENT LANTANA CHARTER	

LEGAL DESCRIPTION

A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF THAT 20.00 FOOT UTILITY EASEMENT DESCRIBED IN OFFICIAL RECORD BOOK 25381, PAGE 1302, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN TRACT 'A', AS SHOWN ON THE PLAT OF LANTANA CIVIC PAVILION, RECORDED IN PLAT BOOK 113, PAGES 13 AND 14, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 'A'; THENCE ALONG THE WEST LINE OF SAID TRACT 'A', SOUTH 15°23'46" EAST, A DISTANCE OF 107.76 FEET TO A POINT ON THE NORTHERLY LINE OF SAID 20.00 FOOT UTILITY EASEMENT; THENCE ALONG SAID NORTHERLY EASEMENT LINE, SOUTH 88°56'10" EAST, A DISTANCE OF 42.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHERLY EASEMENT LINE FOR THE FOLLOWING FIVE COURSES, SOUTH 88°56'10" EAST, A DISTANCE OF 21.69 FEET; THENCE NORTH 01°03'50" EAST, A DISTANCE OF 18.00 FEET; THENCE SOUTH 88°56'10" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 01°03'50" WEST, A DISTANCE OF 18.00 FEET; THENCE SOUTH 88°56'10" EAST, A DISTANCE OF 147.72 FEET; THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, SOUTH 43°56'10" EAST, A DISTANCE OF 28.28 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID 20.00 FOOT UTILITY EASEMENT; THENCE ALONG SAID SOUTHERLY EASEMENT LINE, NORTH 88°56'10" WEST, A DISTANCE OF 209.42 FEET; THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, NORTH 01°03'50" EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 4,348 SQUARE FEET MORE OR LESS.

ABBREVIATIONS:


ORB = OFFICIAL RECORD BOOK
PB = PLAT BOOK
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT

SURVEYOR'S NOTES:

- 1. THIS DRAWING IS NOT A SURVEY.
- 2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
- 3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
- 4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
- 5. DATE OF LEGAL DESCRIPTION: DECEMBER 11, 2017

LIDBERG LAND SURVEYING, INC.

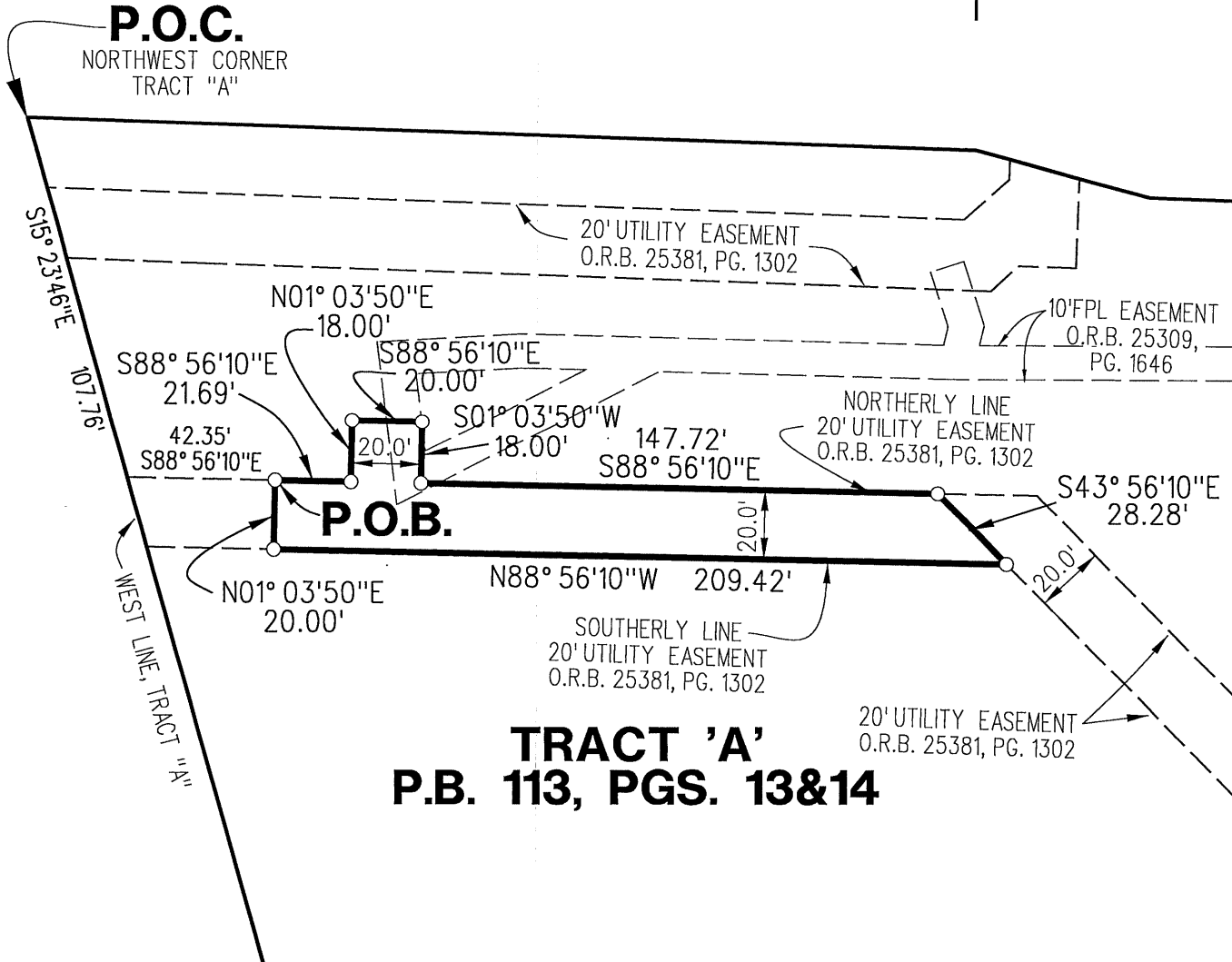
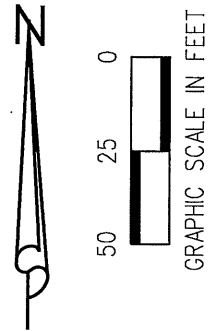
BY: DAVID C. LIDBERG
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 3613

 LIDBERG LAND SURVEYING, INC. LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454	CAD. K:\UST \ HIATUS44.5 \ 113-13 \ 07-010C-303 \ 07-010C-303.DGN		
	REF.		
	FLD. _	FB. PG.	JOB 07-010C-303
	OFF. L.J.C.	_	DATE 12/11/17
	CKD. R.J.W.	SHEET 1 OF 3	DWG. A07-010H

DESCRIPTION & SKETCH
PREPARED FOR:
LANTANA CHARTER, LLC

ABANDONMENT OF A PORTION
OF A 20' UTILITY EASEMENT
LANTANA CHARTER

EXHIBIT 'A'



LIDBERG LAND
SURVEYING, INC.

LB4431

675 West Indiantown Road, Suite 200,
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FB.

PG.

SHEET

2

OF

3

JOB

07-010C-303

DATE

12/11/17

DWG.

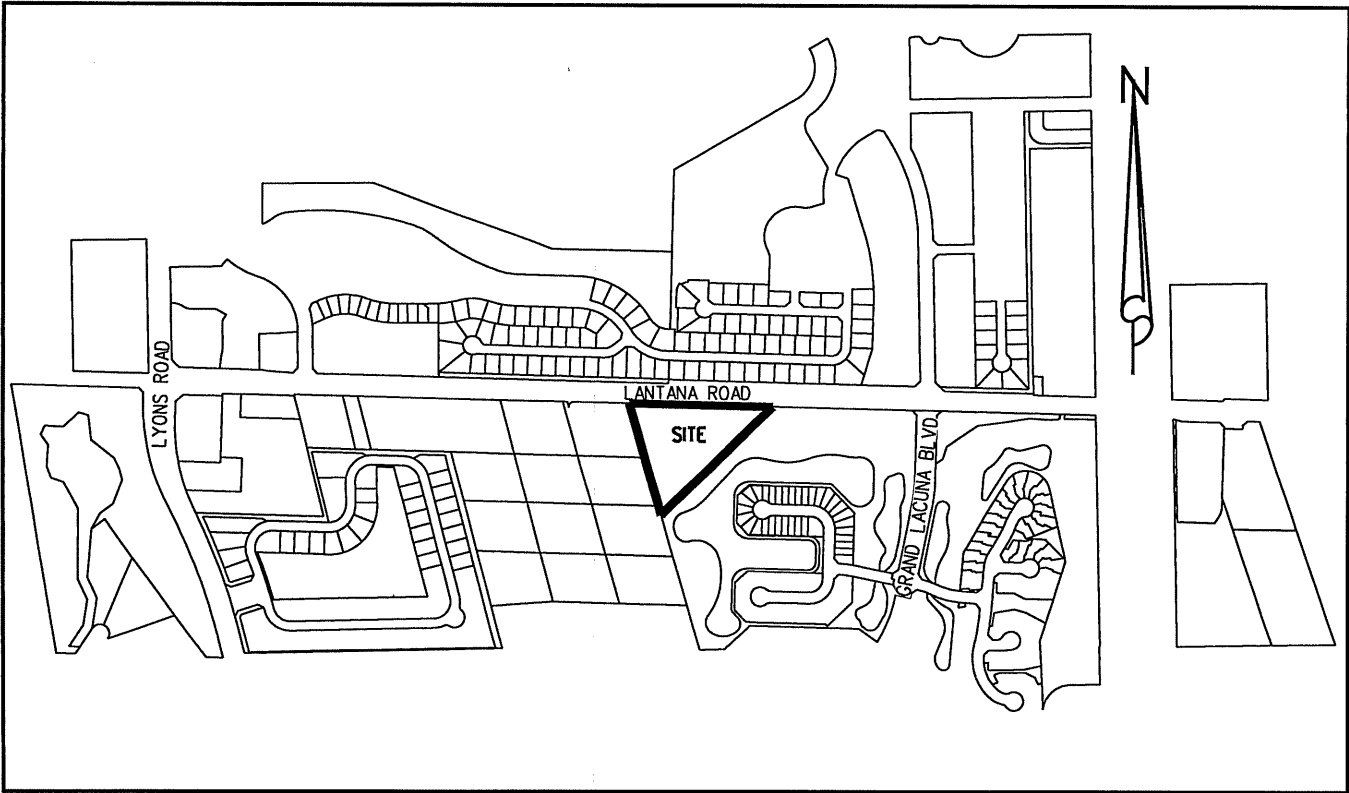
A07-010H

DESCRIPTION & SKETCH
PREPARED FOR:
LANTANA CHARTER, LLC

ABANDONMENT OF A PORTION
OF A 20' UTILITY EASEMENT
LANTANA CHARTER

EXHIBIT 'A'

LOCATION MAP



LIDBERG LAND
SURVEYING, INC.

LB4431

675 West Indiantown Road, Suite 200,
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OFF.

L.J.C.

DATE

12/11/17

CKD.

R.J.W.

SHEET

3

OF

3

DWG.

A07-010H

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

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WITNESSETH:

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ATTEST:

Sharon R. Bock, Clerk


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

By: _____
Deputy Clerk

By: _____
Melissa McKinlay, Mayor *JCS*

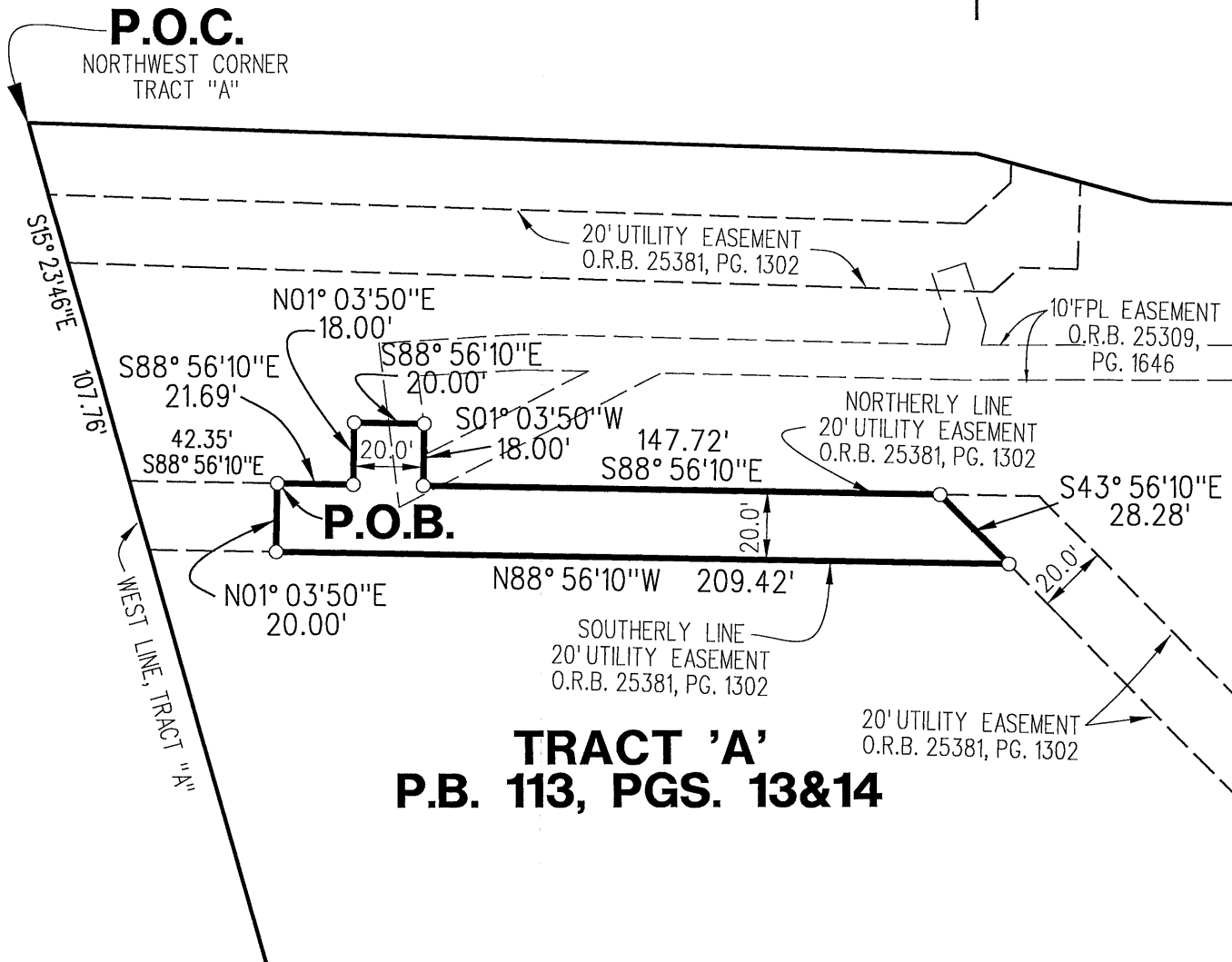
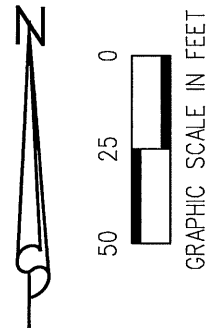
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

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CONTAINING IN ALL 4,348 SQUARE FEET MORE OR LESS.				
ABBREVIATIONS:				
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SURVEYOR'S NOTES:				
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LIDBERG LAND SURVEYING, INC.				
BY: DAVID C. LIDBERG PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 3613				
 <div>LIDBERG LAND SURVEYING, INC.</div> <div>LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454</div>		CAD. K:\UST \ HIATUS44.5 \ 113-13 \ 07-010C-303 \ 07-010C-303.DGN		
		REF.		
		FLD. -	FB. PG.	JOB 07-010C-303
		OFF. L.J.C.	-	DATE 12/11/17
		CKD. R.J.W.	SHEET 1 OF 3	DWG. A07-010H

**ABANDONMENT OF A PORTION
OF A 20' UTILITY EASEMENT
LANTANA CHARTER**

EXHIBIT 'A'



TRACT 'A'
P.B. 113, PGS. 13&14



**LIDBERG LAND
SURVEYING, INC.**

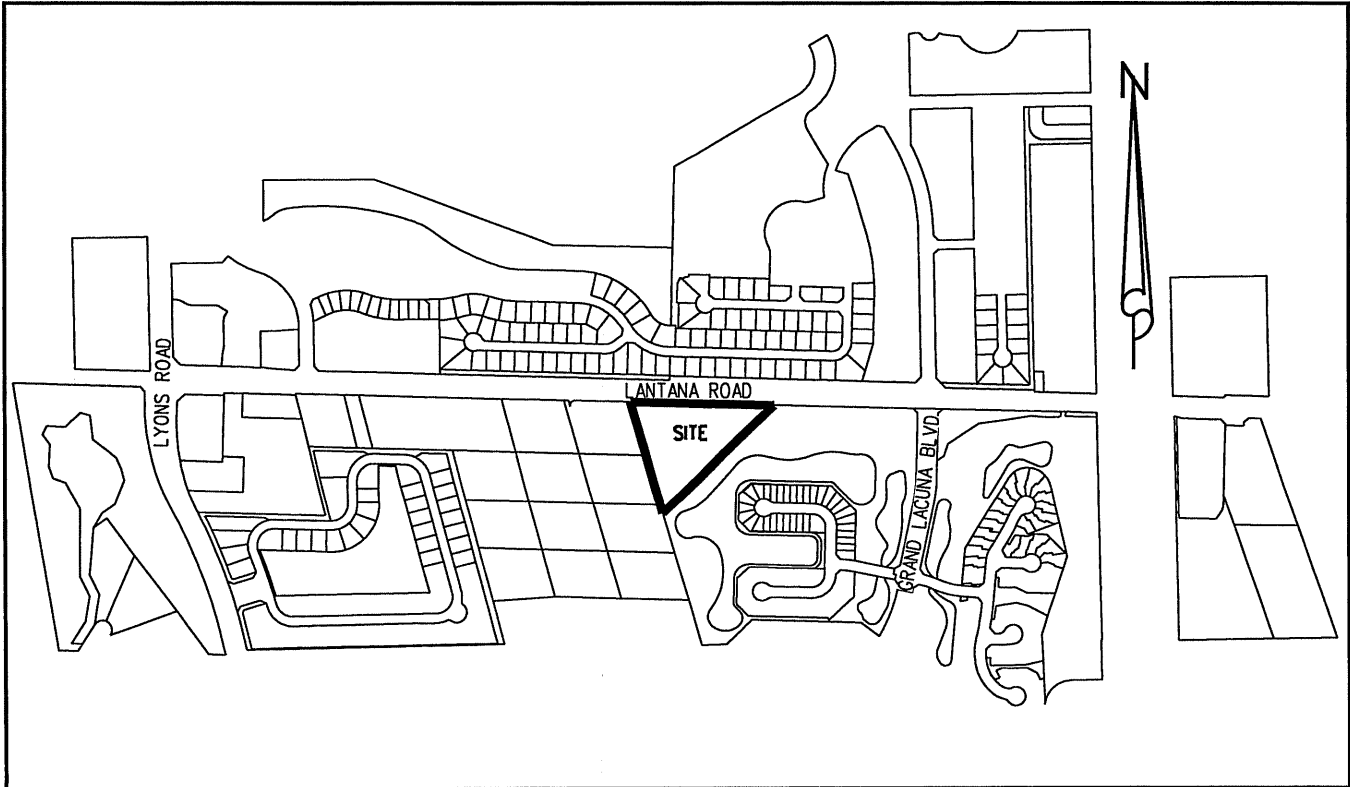
LB4431


675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

CAD. K:\UST \ HIATUS44.5 \ 113-13 \ 07-010C-303 \ 07-010C-303.DGN			
REF.			
FLD.	FB.		JOB
OFF.	PG.		DATE
CKD.	SHEET		DWG.
	2 OF 3		

DESCRIPTION & SKETCH PREPARED FOR: LANTANA CHARTER, LLC	EXHIBIT 2'
ABANDONMENT OF A PORTION OF A 20' UTILITY EASEMENT LANTANA CHARTER	

LOCATION MAP



 LIDBERG LAND SURVEYING, Inc. LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454	CAD. K:\UST \ HIATUS44.5 \ 113-13 \ 07-010C-303 \ 07-010C-303.DGN		
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	FLD. _	FB. PG.	JOB 07-010C-303
	OFF. L.J.C.	_	DATE 12/11/17
	CKD. R.J.W.	SHEET 3 OF 3	DWG. A07-010H



ATTACHMENT 3

CFN 20120314686
OR BK 25381 PG 1302
RECORDED 08/10/2012 10:44:39
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Book, CLERK & COMPTROLLER
Pgs 1302 - 1307; (6pgs)

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 13th day of MAY, 2012 by LANTANA CHARTER, LLC (hereinafter referred to as "Grantor"), whose address is 3800 118th WAY, 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.

WITNESSES:
Signed, sealed and delivered
in the presence of:

Witness Signature [Signature]
Print Name LAUREN MCGINN

Witness Signature [Signature]
Print Name AN MUELL

GRANTOR:

Signature [Signature]
Print Name (and Title if applicable) Paul Burrill, Chairman

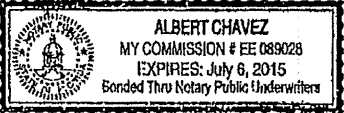
Signature _____
Print Name (and Title if applicable) _____

NOTARY CERTIFICATE

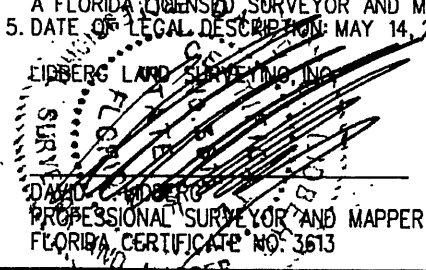

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 13th day of July, 2012 by Paul Burrill and _____ who is/are personally known to me or who has produced _____ as identification.

My Commission Expires _____

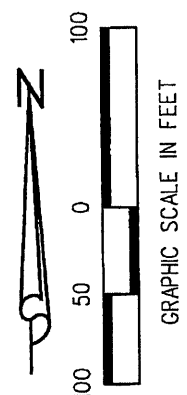
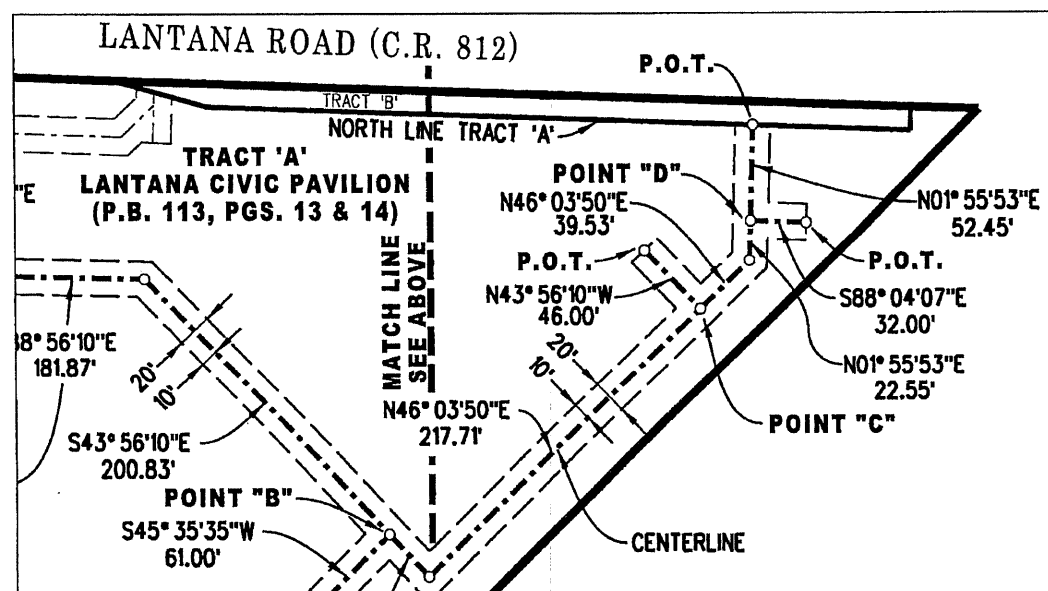


Notary Signature [Signature]
Typed, Printed or Stamped Name of Notary Albert Chavez

DESCRIPTION & SKETCH PREPARED FOR: LANTANA CHARTER, LLC			
PALM BEACH COUNTY UTILITY EASEMENT			
LEGAL DESCRIPTION			
A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF TRACT 'A', LANTANA CIVIC PAVILION AS RECORDED IN PLAT BOOK 113, PAGES 13 AND 14, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:			
COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 'A', THENCE ALONG THE WEST LINE OF SAID TRACT 'A', SOUTH 15°23'46" EAST, A DISTANCE OF 118.18 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE, SOUTH 88°56'10" EAST, A DISTANCE OF 71.09 FEET TO A REFERENCE POINT "A"; THENCE CONTINUE SOUTH 88°56'10" EAST, A DISTANCE OF 181.87 FEET; THENCE SOUTH 43°56'10" EAST, A DISTANCE OF 200.83 FEET TO A REFERENCE POINT "B"; THENCE CONTINUE SOUTH 43°56'10" EAST, A DISTANCE OF 32.72 FEET; THENCE NORTH 46°03'50" EAST, A DISTANCE OF 217.71 FEET TO A REFERENCE POINT "C"; THENCE CONTINUE NORTH 46°03'50" EAST, A DISTANCE OF 39.53 FEET; THENCE NORTH 01°55'53" EAST, A DISTANCE OF 22.55 FEET TO A REFERENCE POINT "D"; THENCE CONTINUE NORTH 01°55'53" EAST, A DISTANCE OF 52.45 FEET TO A POINT ON THE NORTH LINE OF AFORESAID TRACT 'A' AND A POINT OF TERMINUS.			
THENCE RETURNING TO AFORESAID REFERENCE POINT "A", NORTH 01°03'50" EAST, A DISTANCE OF 28.00 FEET TO A POINT OF TERMINUS.			
THENCE RETURNING TO AFORESAID REFERENCE POINT "B", SOUTH 45°35'35" WEST, A DISTANCE OF 61.00 FEET TO A POINT OF TERMINUS.			
THENCE RETURNING TO AFORESAID REFERENCE POINT "C", NORTH 43°56'10" WEST, A DISTANCE OF 46.00 FEET TO A POINT OF TERMINUS.			
THENCE RETURNING TO AFORESAID REFERENCE POINT "D", SOUTH 88°04'07" EAST, A DISTANCE OF 32.00 FEET TO A POINT OF TERMINUS.			
CONTAINING IN ALL 18.915 SQUARE FEET OR 0.434 ACRES, MORE OR LESS.			
SURVEYOR'S NOTES:			
1. THIS DRAWING IS NOT A SURVEY.			
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.			
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.			
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.			
5. DATE OF LEGAL DESCRIPTION: MAY 14, 2012			
		ABBREVIATIONS: PB - PLAT BOOK PGS - PAGES POB - POINT OF BEGINNING POC - POINT OF COMMENCEMENT POT - POINT OF TERMINUS	
LIDBERG LAND SURVEYING, INC.		07/27/2012 REVISIONS PER PBC COMMENTS DATED 07/26/2012 R.J.W.	
 LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454		CAD. K:\UST \ HIATUS 44.5 \ 07-010 \ 07-010-303C \ 07-010-303C.DGN	
		REF.	
		FLD. -	FB. PG. JOB 07-010-303C
		OFF. R.J.W.	DATE 05/14/2012
		CKD. E.C.	SHEET 1 OF 4 DWG. A07-010C

K:\UST\HIATUS 44.5\07-010\07-010-303C\07-010-303C.DGN 8/6/2012 10:12:04 AM

**PALM BEACH COUNTY
UTILITY EASEMENT**



**LIDBERG LAND
SURVEYING, INC.**

LB4431

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

CAD. K:\UST \ HIATUS 44.5 \ 07-010 \ 07-010-303C \ 07-010-303C.DGN

REF.

FLD.

OFF. R.J.V.

CKD.	E.C.
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FB.

PG.

JOB

DATE 05/14/2012

DATE 05/14/2012

DWG. A07-010C

DESCRIPTION & SKETCH PREPARED FOR: LANTANA CHARTER, LLC	
PALM BEACH COUNTY UTILITY EASEMENT	

LEGAL DESCRIPTION


A STRIP OF LAND, 20.00 FEET IN WIDTH, BEING A PORTION OF TRACT 'A', LANTANA CIVIC PAVILION AS RECORDED IN PLAT BOOK 113, PAGES 13 AND 14, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 'A', THENCE ALONG THE WEST LINE OF SAID TRACT 'A', SOUTH 15°23'46" EAST, A DISTANCE OF 31.81 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE, SOUTH 88°04'20" EAST, A DISTANCE OF 263.33 FEET; THENCE NORTH 46°55'40" EAST, A DISTANCE OF 25.77 FEET TO A REFERENCE POINT "A"; THENCE NORTH 01°55'40" EAST, A DISTANCE OF 7.40 FEET TO A POINT ON THE NORTH LINE OF AFORESAID TRACT 'A' AND A POINT OF TERMINUS.

THENCE RETURNING TO AFORESAID REFERENCE POINT "A", SOUTH 01°55'40" WEST, A DISTANCE OF 20.70 FEET TO A POINT OF TERMINUS.

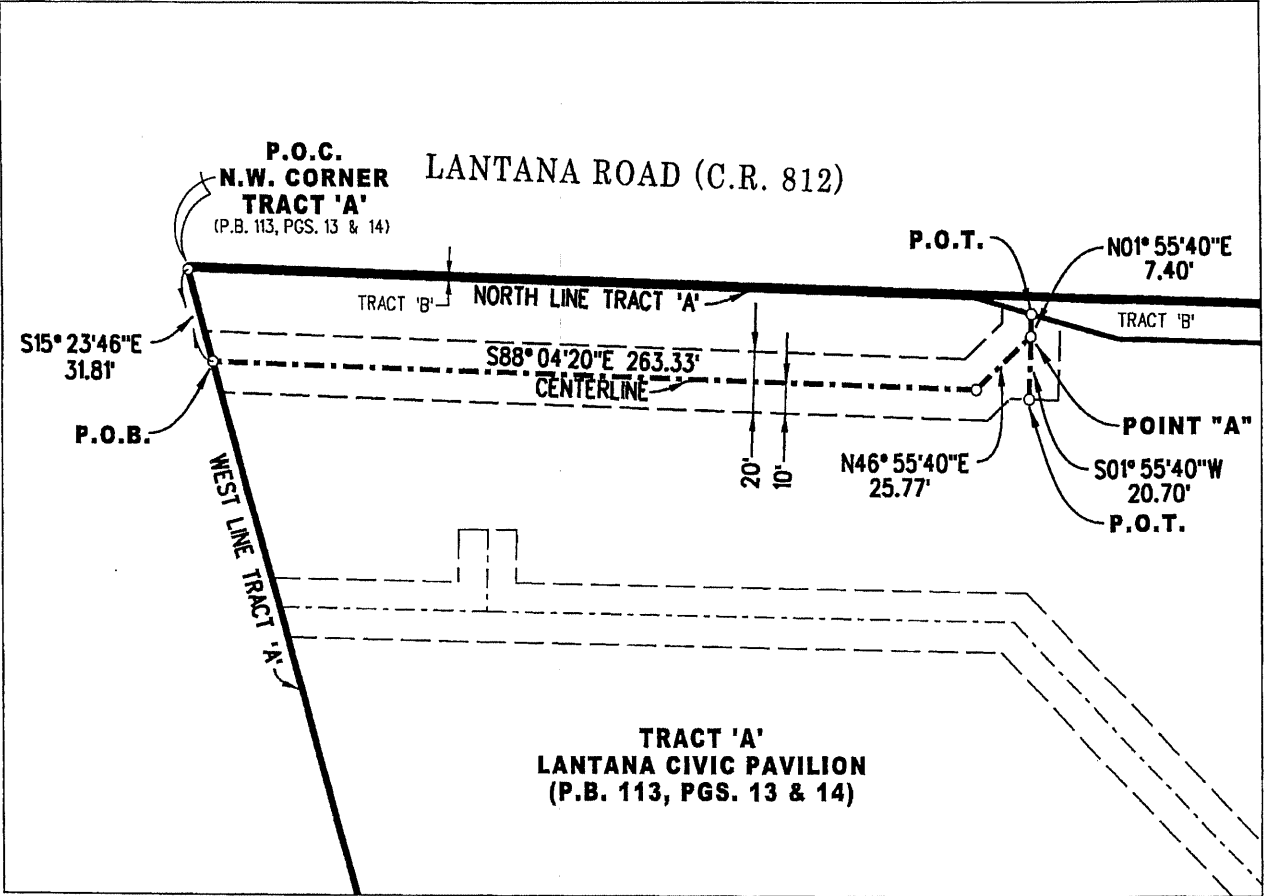
CONTAINING IN ALL 6,067 SQUARE FEET OR 0.139 ACRES, MORE OR LESS.


ABBREVIATIONS:
PB - PLAT BOOK
PGS - PAGES
POB - POINT OF BEGINNING
POC - POINT OF COMMENCEMENT
POT - POINT OF TERMINUS

 LIDBERG LAND SURVEYING, INC. <small>LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454</small>	CAD. K:\UST \ HIATUS 44.5 \ 07-010 \ 07-010-303C \ 07-010-303C.DGN		
	REF.		
	FLD. _	FB. PG.	JOB 07-010-303C
	OFF. R.J.W.		DATE 05/14/2012
	CKD. E.C.	SHEET 3 OF 4	DWG. A07-010C

K:\UST\HIATUS 44.5\07-010\07-010-303C\07-010-303C.DGN 8/6/2012 10:12:33 AM

DESCRIPTION & SKETCH PREPARED FOR: LANTANA CHARTER, LLC	
PALM BEACH COUNTY UTILITY EASEMENT	



 LIDBERG LAND SURVEYING, INC. LB4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454	CAD. K:\UST \ HIATUS 44.5 \ 07-010 \ 07-010-303C \ 07-010-303C.DGN		
	REF.		
	FLD. -	FB. PG.	JOB 07-010-303C
	OFF. R.J.W.		DATE 05/14/2012
	CKD. E.C.	SHEET 4 OF 4	DWG. A07-010C

K:\UST\HIATUS 44.5\07-010\07-010-303C\07-010-303C.DGN 8/6/2012 10:12:41 AM

SDA 3
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 25317, Page 629 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:

Witness Signature

Maria T. Madera
Print Name

Witness Signature

Charis Campbell
Print Name

GRANTOR/MORTGAGEE:

Name of Mortgagee:

OCEAN BANK,
a Florida banking corporation

Signature

Joseph P. Fiore
Print Name (and Title if applicable)

Signature

Eni F. Calvino Asst. Sec.
Print Name (and Title if applicable)

(SEAL)

NOTARY CERTIFICATE

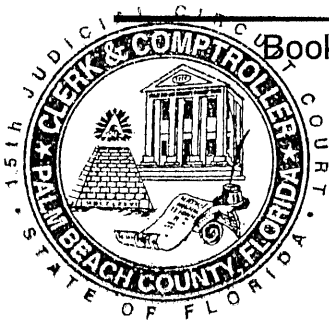
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 18 day of Aug, 2012, by Joseph P. Fiore and Eni F. Calvino, who is/are both personally known to me or who have produced _____ as identification.

My Commission
Expires:

Notary Signature

URSULA C. OSTER
Typed, Printed or Stamped Name of Notary



Book 25381/Page 1307

Page 6 of 6

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, May 01, 2018.
Sharon R. Bock, Clerk and Comptroller, Palm Beach County, Florida
BY [Signature] Deputy Clerk

Return to: FL5050113
North American Title Company
1015 N. State Road 7, Suite A
Royal Palm Beach, FL 33411
This Instrument Prepared By:
Don Black
North American Title Company
1015 N. State Road 7, Suite A
Royal Palm Beach, FL 33411
Property Appraisers Parcel Identification (Folio) Number: 00-42-44-41-00-041-0025

ATTACHMENT 4

CFN 20050041063
OR BK 18044 PG 2000
RECORDED 01/24/2005 09:59:27
Palm Beach County, Florida
AMT 725,000.00
Doc Stamp 5,075.00
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 2000 - 2001; (2pgs)

Grantor does hereby state that the below property did at no time constitute his homestead and the reside at 6318 Ethan Drive, Lake *
This Warranty Deed Made this 20th day of January, 2005 *Worth, FL 33467, therefor e
by Ubaldo Mursuli, a married man hereinafter called the grantor(s), to joinder of spouse is not
Lantana Charter, LLC required.
whose post office address is 3860 118th Avenue, Coral Springs, FL 33065
hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor(s) for and in consideration of the sum of \$10.00 (ten) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantees all that certain land situate in Palm Beach County, State of Florida, viz:

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

SUBJECT TO: covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2005 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

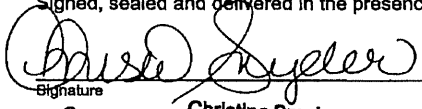
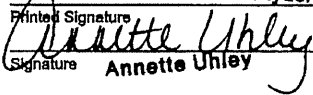
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:


Signature
Christine Snyder
Printed Signature

Signature
Annette Uhley
Printed Signature

Signature

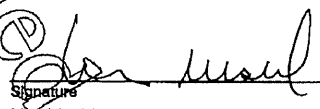
Printed Signature

Signature

Printed Signature

Signature

Printed Signature


Signature
Ubaldo Mursuli
Printed Signature
6318 Ethan Drive
Address
Lake Worth, FL 33467
Address

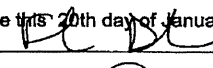
Signature

Printed Signature

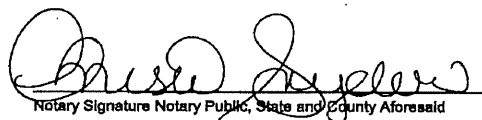
Address

Address

STATE OF: Florida
COUNTY OF: Palm Beach

The foregoing instrument was acknowledged before me this 20th day of January, 2005 by Ubaldo Mursuli, a married man hereinafter called the grantor(s), who produced a  as identification and who take an oath.

My Commission Expires:


Notary Signature Notary Public, State and County Aforesaid
Printed Notary Signature



LEGAL DESCRIPTION

A Parcel of land being a portion of Government Lot 2, Tract 41, of the Hiatus Township 44 1/2, Range 42 East, Palm Beach County, Florida; said Parcel being more particularly described as follows:

Commencing at the Northwest corner of Government Lot 2, Tract 41, of the Hiatus Township 44 1/2, Range 42 East, Palm Beach County, Florida; thence South $15^{\circ}23'46''$ East, along the West line of said Government Lot 2, a distance of 56.57 feet to a point on the Southerly Right of way line of Lantana Road; thence North $88^{\circ}04'19''$ West, a distance of 50.80 feet to the Point of Beginning; thence South $15^{\circ}23'46''$ East, a distance of 408.45 feet; thence South $46^{\circ}03'50''$ West, along the West line of the Plat of Fairfield's Lacuna Plat 1, as recorded in Plat Book 57, Pages 60 through 65, inclusive, Public Records of Palm Beach County, Florida, a distance of 288.05 feet; thence North $15^{\circ}23'46''$ West, a distance of 625.00 feet to a Point on the said Southerly Right of way line of Lantana Road; thence South $88^{\circ}04'19''$ East, along said Southerly Right of way line of Lantana Road, a distance of 265.07 feet to the Point of Beginning.

CFN 20070240816
OR BK 21741 PG 1229
RECORDED 05/16/2007 15:07:19
Palm Beach County, Florida
AMT 500,000.00
Doc Stamp 3,500.00
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1229 - 1230; (2pgs)

THIS INSTRUMENT PREPARED BY AND RETURN TO:

J. Stephen Tracy, Esq.
Statewide Title and Escrow Services Inc
1511 Prosperity Farms Road Suite 100
Lake Park, Florida 33403
Property Appraisers Parcel Identification (Folio) Numbers: 00-42-44-41-00-041-0025

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 15th day of May, 2007 by Vietnamese Catholic Association of Palm Beach, Inc., a Florida non profit corporation, herein called the grantors, to Lantana Charter, LLC, a Florida limited liability company whose post office address is 3860 118th Way, Coral Springs, FL 33065, hereinafter called the Grantee:
(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in PALM BEACH County, State of Florida, viz:

See Exhibit "A" attached hereto.

Subject to easements, restrictions and reservations of record and to taxes for the year 2007 and thereafter.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. **TO HAVE AND TO HOLD**, the same in fee simple forever.
AND, the grantors hereby covenant with said grantee that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2006.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

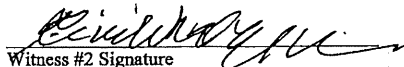
Signed, sealed and delivered in the presence of:



Witness #1 Signature

HIEN NGUYEN

Witness #1 Printed Name




Witness #2 Signature

TINH DAT NGUYEN

Witness #2 Printed Name


Vietnamese Catholic Association of Palm Beach, Inc., a
Florida non profit corporation

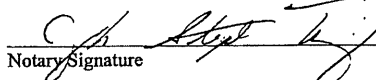

Binh T. Nguyen, President

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15th day of May, 2007 by Binh T. Nguyen, President of Vietnamese Catholic Association of Palm Beach, Inc., a Florida non profit corporation on behalf of the corporation. He/She is personally known to me or has produced _____ as identification.

SEAL

NOTARY PUBLIC-STATE OF FLORIDA
 John Stephen Tracy
Commission # DD493886
Expires: DEC. 12, 2009
Bonded Thru Atlantic Bonding Co., Inc.


Notary Signature

John Stephen Tracy
Printed Notary Signature

My Commission Expires:

File No.: 07-6863

Exhibit "A"

LEGAL DESCRIPTION

A Parcel of land being a portion of Government Lot 2, Tract 41, of the Hiatus Township 44 1/2, Range 42 East, Palm Beach County, Florida; said Parcel being more particularly described as follows:

Commencing at the Northwest corner of Government Lot 2, Tract 41, of the Hiatus Township 44 1/2, Range 42 East, Palm Beach County, Florida; thence South 15°23'46" East, along the West line of said Government Lot 2, a distance of 56.57 feet to a point on the Southerly Right of way line of Lantana Road and the Point of Beginning; thence South 88°04'07" East along said Southerly Right of way line of Lantana Road, a distance of 449.13 feet; thence South 46°03'50" West along the West line of the Plat of Fairfield's Lantana Plat 1, as recorded in Plat Book 57, Pages 60 through 65, inclusive, Public Records of Palm Beach County, Florida, a distance of 543.27 feet; thence North 15°23'46" West, a distance of 408.45 feet, to a point on the said Southerly Right of way line of Lantana Road; thence South 88°04'19" East, along said Southerly Right of way line a distance of 50.80 feet to the Point of Beginning.