

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

Meeting Date:	November 20, 2018	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

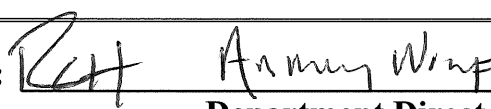

- A) accept** a Quit Claim Deed from the City of Delray Beach (City) for the western portion of NW 1st Street road right-of-way recently abandoned by the City;
- B) approve** the Plat of Palm Tran South County Facility (Plat) which combines three (3) County-owned parcels and the abandoned right-of-way;
- C) approve** an Easement in favor of the Lake Worth Drainage District (LWDD) for the right-of-way gap created by the road abandonment of the western portion of NW 1st Street;
- D) approve** a First Amendment to Easement with the LWDD to extinguish any County obligation to maintain any improvements pursuant to the Encroachment License Agreement; and
- E) approve** a Termination of Encroachment License Agreement with the LWDD.

Summary: Palm Tran is in the process of expanding its South County Facility (Facility) located at 100 North Congress Avenue in Delray Beach which includes the addition of employee and bus parking areas and expansion of the existing maintenance and administration facilities. This development requires re-platting the Facility to include the recently abandoned western portion of road right-of-way for NW 1st Street and two (2) adjacent County-owned parcels to create one (1) legal lot of record. The City is conveying the abandoned right-of-way to the County by Quit Claim Deed. A small portion of the County property is being dedicated by the Plat to the City for NW 1st Street right-of-way. The Plat also dedicates to the City a waterline easement across a small sliver of the County property for a water main. The LWDD E-4 canal right-of-way is located within the western boundary of the Facility. The abandonment of the road right-of-way creates a gap within LWDD’s canal right-of-way and restricts LWDD’s access to its E-4 canal. The County will grant LWDD an exclusive easement to close the gap created by the abandonment, together with a non-exclusive access easement from the road right-of-way to the LWDD right-of-way. As a part of the plat review process, LWDD has requested that the County terminate an existing Encroachment License Agreement (R96-1304D) between the County and LWDD in order to convert the County’s berm and landscaping use of the right-of-way to a right-of-way permit. A 56 foot wide E-4 canal right-of-way easement located within the western portion of the Facility which was granted to LWDD by the County in 1996 (R96-1303-D) is being amended to release the County’s maintenance obligations. The Encroachment License Agreement is being terminated. The County will sign the Plat as the property owner. **(PREM) District 7 (HJF)**

CONTINUED ON PAGE 3

Attachments:

1. Location Map
2. Quit Claim Deed (w/exhibit “A”)
3. Plat of Palm Tran South County Facility
4. Easement (w/exhibit “A” & “B”)
5. First Amendment to Easement (w/exhibit “A”)
6. Termination of Encroachment License Agreement (w/exhibit “A”)

Recommended By:		10/19/18
	Department Director	Date
Approved By:		11/5/18
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No X

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

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

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

No Fiscal Impact.

Fixed Asset Number: G06934

C. Departmental Fiscal Review: *[Signature]* 10/22/18

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

<p><u><i>[Signature]</i></u> 10/25/18 OFMB <i>[Handwritten initials]</i></p>	<p><u><i>[Signature]</i></u> 10/29/18 Contract Development and Control <i>[Handwritten initials]</i></p>
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B. Legal Sufficiency:

[Signature] 10/30/18
 Assistant County Attorney
Documents not signed by LWDD at time of CAO review

C. Other Department Review:

 Department Director

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

Background and Justification: In 1997, the Facility was platted during the initial development of the site. In 2013, the Facility was at or nearing capacity for bus parking. Therefore, staff purchased two adjacent parcels totaling 2.73 acres (R-2013-1608) to accommodate future expansion needs. The two parcels are located on the other side of the road right-of-way for NW 1st Street. The redesign of the Facility requires the abandonment of the western portion of the road right-of-way and the shifting of the existing cul-de-sac eastward. NW 1st Street has no outlet and no other business abuts the cul-de-sac.

On January 16, 2018, the City approved Resolution 01-18 for the abandonment of the western portion of the road right-of-way for NW 1st Street, which is being conveyed by the City to the County via the attached Quit Claim Deed. The abandonment of said road right-of-way creates a gap between LWDD's existing E-4 canal and also restricts LWDD's access to said canal. The County will grant LWDD an exclusive easement to close the gap created by the abandonment, together with a non-exclusive access easement from the road right-of-way to the LWDD's canal right-of-way. As a part of the plat review process, LWDD requested that the existing Encroachment License Agreement granted by LWDD to the County during the initial development of the Facility be terminated and converted to a right-of-way permit. Said permit will allow the County's existing berm, trees, and vegetation covered under the Encroachment License Agreement to remain in the LWDD right-of-way. The Termination of Encroachment License Agreement will terminate the County's obligation to maintain improvements within the LWDD's canal right-of-way. An easement being approximately 56-foot wide for the E-4 canal right-of-way is located within the western limits of the Facility property and was granted to LWDD in 1996 by the County while simultaneously entering into an Encroachment License Agreement with the LWDD. The First Amendment to Easement deletes the County's maintenance obligation of the County's existing berm, trees, and vegetation located within the eastern 21 feet of the easement area. The County maintenance obligations for the berm, trees and vegetation will be under the LWDD right-of-way permit. LWDD staff will process the Termination of Encroachment License Agreement and the First Amendment to Easement Agreement for their Board's approval after approval by the BCC. Both agreements have been reviewed and approved by LWDD staff.

The Plat will combine the Facility, the abandoned western portion of road right-of-way for NW 1st Street and the South Parcels as one (1) legal lot of record.

The redevelopment of the Facility will include the addition of employee and bus parking areas, a bus lift at the existing maintenance facility and a new pedestrian canopy to provide weather protection for employees, and will increase the square footage of the existing administration building to accommodate additional employees. Construction of the Facility is anticipated to start in the first quarter of 2019.

F

E

TWP 46

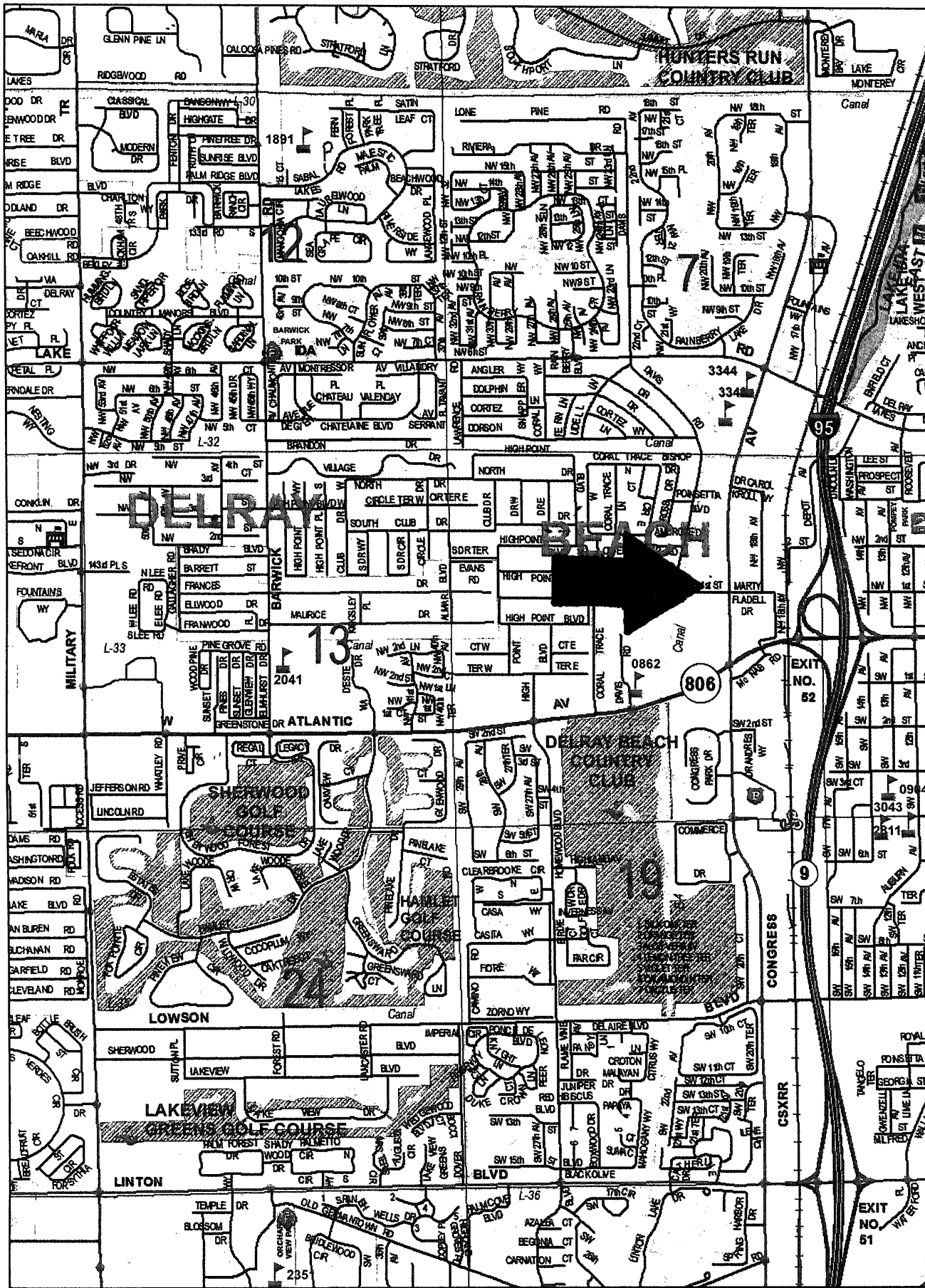
34

TWP 46

35

TWP 46

36



RNG 42

RNG 43

ATTACHMENT #1
 LOCATION MAP – PAGE 1 OF 1



ATTACHMENT # ~~2~~
Quit Claim Deed with Exhibit "A" – 7 Pages

Prepared by: RETURN:
City Attorney's Office
200 N.W. 1st Avenue
Delray Beach, FL 33444

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 25th day of September, 2018, by the **CITY OF DELRAY BEACH**, and having its principal place of business at 100 NW 1st Avenue, Delray Beach, FL 33444, First Party, to: **PALM BEACH COUNTY, FLORIDA**, a Political Subdivision of the State of Florida, having its principal place of business at 301 North Olive, West Palm Beach, Florida 33401-4791, Second Party:

(Whenever used herein the term "First Party" and "Second Party" include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation, whenever the context so admits or requires.)

WITNESSETH, That the said First Party, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the said Second Party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said Second Party forever, all the right, title, interest, claim and demand which the said First Party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Palm Beach, State of Florida, to-wit:

See Exhibit "A"

TO HAVE and to HOLD the same together with all and singular the appurtenances thereunto belonging or anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said First party, either in law or equity, to the only proper use, benefit and behoof of the said Second Party forever.

IN WITNESS WHEREOF the said First Party has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto duly authorized, the day and year first above written.

WITNESS #1:

Bess Case
BESS CASE

(Please Print or Type Name)

CITY OF DELRAY BEACH, FLORIDA

By: [Signature]

Name: Shelly Petrolia

Title: MAYOR

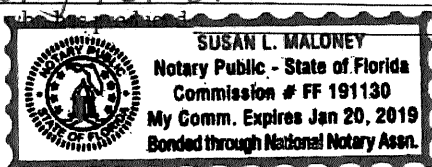
WITNESS #2:

Yolanda Ruiz
Yolanda Ruiz

(Please Print or Type Name)

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 27th day of September 2018, by Shelly Petrolia (name of person acknowledging), who is personally known to me or [Signature] as identification.



[Signature]
Signature of Notary Public - State of Florida

EXHIBIT "A"

Legal Description, Sketch and Location Map of Right-of-Way area that was formerly a portion of NW 1st Street but was abandoned through Resolution No. 01-18 which has been recorded at ORB 29716, Page 0932 in the Public Records for Palm Beach County, Florida.

Continued
(Legal description and sketch attached)

EXHIBIT "A"

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND THE PALM BEACH COUNTY STATE PLANE COORDINATE SYSTEM REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY PPM# CW-0-058.

David A. Bower 1/17/18

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

DESCRIPTION:

A PARCEL OF LAND LYING WITHIN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, PALM-TRAN SATELLITE FACILITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 187 AND 188 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°14'38" EAST, A DISTANCE OF 80.33 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 58°14'38" EAST FROM SAID POINT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 120°00'00", FOR A DISTANCE OF 104.72 FEET; THENCE SOUTH 88°14'38" EAST, A DISTANCE OF 53.62 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 01°45'22" WEST FROM SAID POINT, THE PRECEDING THREE COURSES AND DISTANCES BEING COINCIDENT WITH THE SOUTH LINE OF SAID TRACT A; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.75 FEET, A CENTRAL ANGLE OF 89°09'12", FOR A DISTANCE OF 78.97 FEET; THENCE NORTH 88°14'38" WEST, A DISTANCE OF 2.45 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 58°14'24" WEST FROM SAID POINT; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 119°59'32", FOR A DISTANCE OF 104.71 FEET; THENCE NORTH 88°14'38" WEST, A DISTANCE OF 90.57 FEET; THENCE NORTH 12°51'01" EAST, A DISTANCE OF 50.95 FEET TO THE POINT OF BEGINNING.

IN ALL CONTAINING 12,359 SQUARE FEET MORE OR LESS.

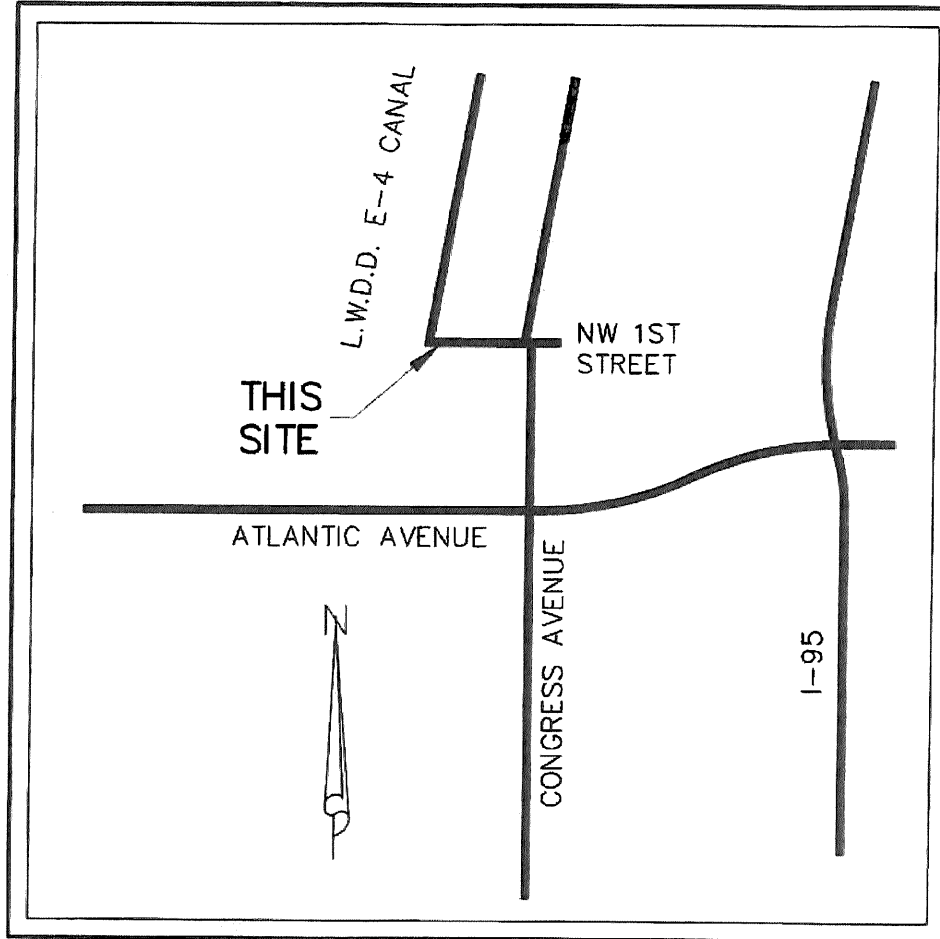
2	01/17/18	REVISE SQUARE FOOTAGE	DAB
1	10/05/17	REVISE CERTIFICATION	DAB
NO.	DATE	REVISIONS	BY

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: BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/15/17
CHK: AV	JOB# 15-024 SD	SHEET: 1 OF 5

EXHIBIT "A"



LOCATION MAP
NOT TO SCALE

LEGEND:

- | | |
|--------------------------------------|---------------------------------------|
| (C) = CALCULATED | P.O.B. = POINT OF BEGINNING |
| D = CENTRAL ANGLE | P.R.M. = PERMANENT REFERENCE MONUMENT |
| L = ARC LENGTH | R = RADIUS |
| LB = LICENSED BUSINESS | U.E. = UTILITY EASEMENT |
| O.R.B. = OFFICIAL RECORDS BOOK | ± = MORE OR LESS |
| P.B. = PLAT BOOK | (P) = PER THE PLAT OF |
| P.B.C.R. = PALM BEACH COUNTY RECORDS | PALM TRAN SATELLITE FACILITY |
| PCN = PARCEL CONTROL NUMBER | (P.B. 81, PG. 187, P.B.C.R.) |
| PG. = PAGE | |

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 For: BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/15/17
CHK: AV	JOB# 15-024 SD	SHEET: 2 OF 5

EXHIBIT "A"

SURVEYOR'S NOTES:

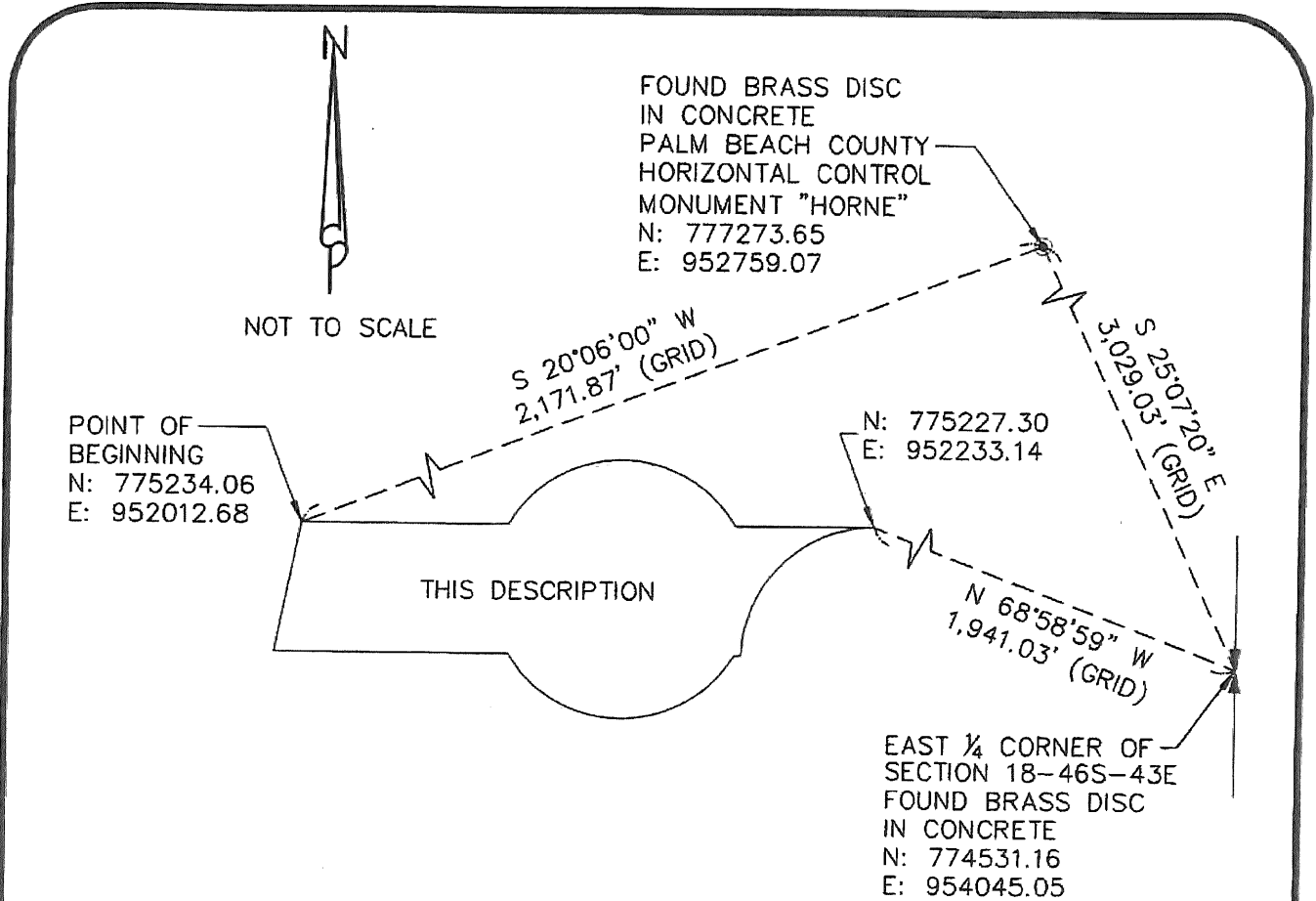
1. BEARINGS DEPICTED HEREON ARE BASED UPON THE LINE BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL MONUMENT "HORNE" AND THE EAST ¼ CORNER OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. SAID LINE BEING MONUMENTED AND HAVING A GRID BEARING OF SOUTH 25°07'20" EAST (NAD 83/90).
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: BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

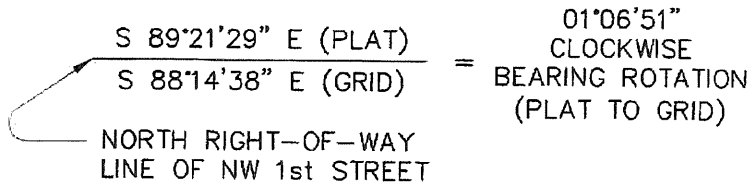
DRAWN: DB	SCALE: N/A	DATE: 09/15/17
CHK: AV	JOB# 15-024 SD	SHEET: 3 OF 5

EXHIBIT "A"



COORDINATE TRANSLATION DATA

- 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
- GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED
- SCALE FACTOR = 1.0000410

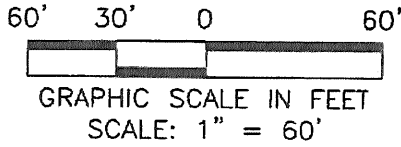


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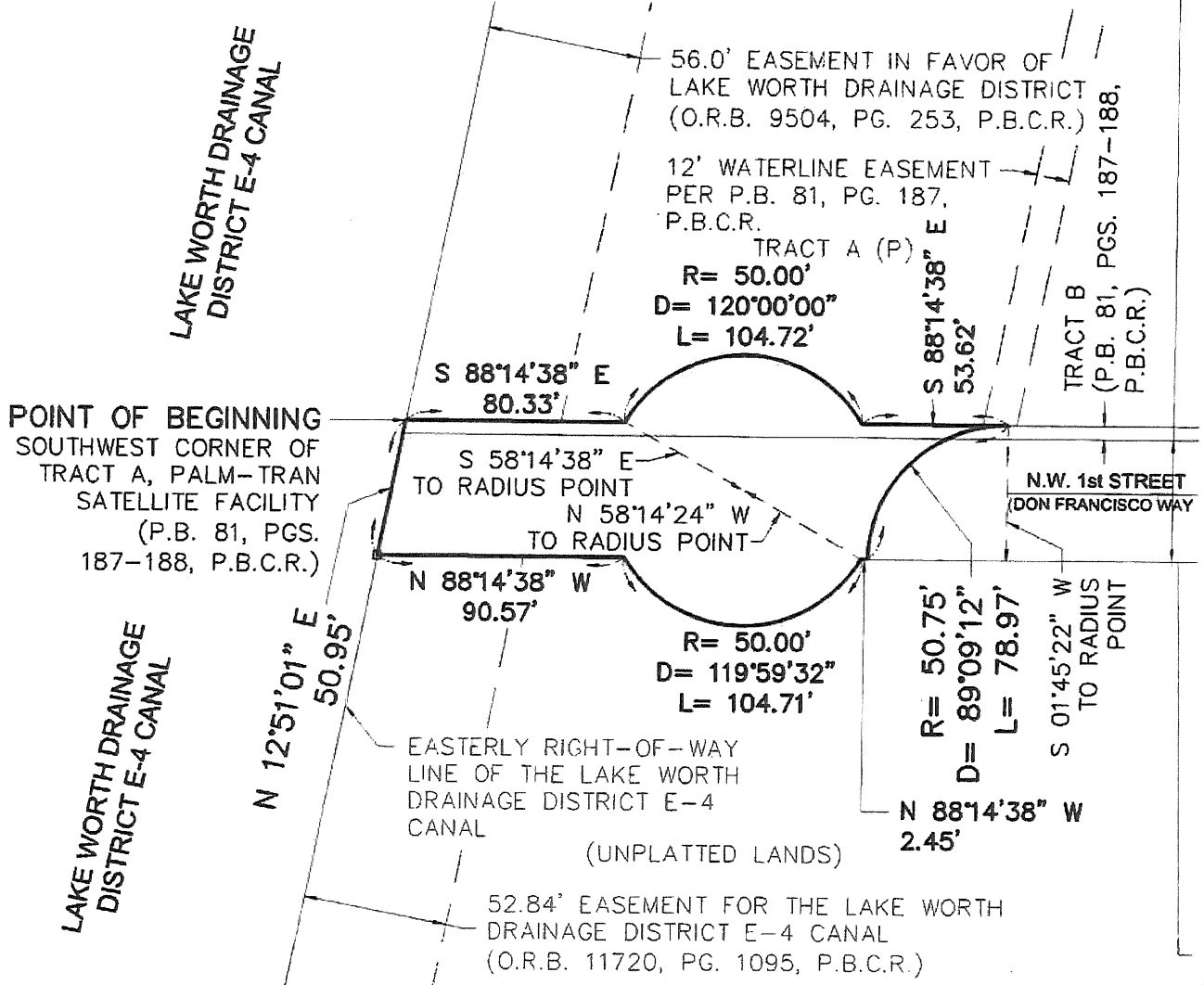
SKETCH & DESCRIPTION
 For: BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 09/15/17
CHK: AV	JOB# 15-024 SD	SHEET: 4 OF 5

EXHIBIT "A"



(O.R.B. 2321, PG. 1894, P.B.C.R.)
(O.R.B. 8891, PG. 570, P.B.C.R.)
(O.R.B. 1846, PG. 963, P.B.C.R.)
(O.R.B. 8883, PG. 5, P.B.C.R.)



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Land Surveyors * Mappers

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Royal Palm Beach, Florida 33411
Phone: 561 753-0650 Fax: 561 753-0290

SKETCH & DESCRIPTION
For: BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: 1"=60'	DATE: 09/15/17
CHK: AV	JOB# 15-024 SD	SHEET: 5 OF 5

ATTACHMENT # 3
PLAT - 3 PAGES

PALM TRAN SOUTH COUNTY FACILITY

BEING A RE-PLAT OF A PORTION OF TRACT 28, MODEL LAND COMPANY'S SUBDIVISION OF THE NORTH HALF AND PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST AS RECORDED IN PLAT BOOK 6, PAGE 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH A RE-PLAT OF TRACT A AND A PORTION OF TRACT B, PALM-TRAN SATELLITE FACILITY AS RECORDED IN PLAT BOOK 81, PAGE 187 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
SITUATE IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.
SHEET 1 OF 3

STATE OF FLORIDA)
COUNTY OF PALM BEACH) S.S.

THIS INSTRUMENT WAS FILED FOR RECORD AT _____ M. THIS _____ DAY OF _____ 20____ AND DULY RECORDED IN: PLAT BOOK _____ ON PAGE _____ SHARON R. BOCK CLERK & COMPTROLLER PALM BEACH COUNTY BY: _____ DEPUTY CLERK

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, OWNER OF THE LANDS SHOWN HEREON AS PALM TRAN SOUTH COUNTY FACILITY, BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, TOGETHER WITH A RE-PLAT OF A PORTION OF TRACT 28, MODEL LAND COMPANY'S SUBDIVISION OF THE NORTH HALF AND PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST AS RECORDED IN PLAT BOOK 6, PAGE 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A RE-PLAT OF TRACT A AND A PORTION OF TRACT B, PALM-TRAN SATELLITE FACILITY AS RECORDED IN PLAT BOOK 81, PAGE 187 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

THE WEST 100 FEET OF THE EAST 720 FEET OF THE WEST FIVE-EIGHTHS (5/8) OF THE NORTH HALF (N 1/2) OF THE SOUTH QUARTER (S 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, LESS THE NORTH 170 FEET THEREOF, TOGETHER WITH THE WEST 100 FEET OF THE EAST 800 FEET OF THE SAID WEST FIVE-EIGHTHS (5/8) OF THE NORTH HALF (N 1/2) OF THE SOUTH QUARTER (S 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 18, LESS AND EXCEPT THEREFROM THE NORTH 25 FEET THEREOF, SAID NORTH 25 FEET BEING A PORTION OF PARCEL "D" RIGHT-OF-WAY AS CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 8883, PAGE 5 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

PARCEL 2:

TRACTS "2" AND "7" OF THE UNRECORDED PLAT OF THE WEST 5/8 OF THE NORTH 1/2 OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, LYING EAST OF THE LAKE NORTH DRAINAGE DISTRICT E-4 CANAL, DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE RUN N 88°30'21" W ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1018.74 FEET; THENCE RUN N 0°47'13" E ALONG THE EAST LINE OF SAID WEST 5/8, A DISTANCE OF 336.87 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/4 OF SAID NORTHEAST 1/4 OF SECTION 18; THENCE RUN N 78°22'28" W ALONG THE SAID SOUTH LINE, A DISTANCE OF 820.08 FEET TO THE POINT OF BEGINNING NO. 2; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 280.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE LAKE NORTH DRAINAGE DISTRICT E-4 CANAL; THENCE RUN N 12°50'17" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 323.45 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NW 1st STREET; THENCE RUN S 88°14'38" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 90.87 FEET TO A POINT ON A CURVE; THENCE RUN EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 104.71 FEET TO A POINT ON SAID CURVE; SAID CURVE HAVING A CENTRAL ANGLE OF 118°50'32", A RADIUS OF 50.00 FEET, A BEGINNING TANGENT BEARING OF S 28°14'52" E AND AN ENDING TANGENT BEARING OF N 31°45'36" E; THENCE RUN S 88°14'38" E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 16.06 FEET; THENCE RUN S 0°47'13" W, A DISTANCE OF 316.85 FEET TO THE POINT OF BEGINNING NO. 2.

AND

PARCEL 3:

TRACT A OF THE PLAT OF PALM-TRAN SATELLITE FACILITY, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 81, PAGE 187 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

PARCEL 4:

THAT PORTION OF DON FRANCISCO WAY (A/K/A NW 1ST STREET) REQUIRED FOR THIS PROJECT THAT IS PROPERLY ABANDONED.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING WITHIN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, PALM-TRAN SATELLITE FACILITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 187 AND 188 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°14'38" EAST, A DISTANCE OF 80.33 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT BEARING SOUTH 88°14'38" EAST FROM SAID POINT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 104°00'00", FOR A DISTANCE OF 104.72 FEET; THENCE SOUTH 88°14'38" EAST, A DISTANCE OF 33.62 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 01°45'22" WEST FROM SAID POINT; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.75 FEET, A CENTRAL ANGLE OF 107°00'00", FOR A DISTANCE OF 78.87 FEET; THENCE NORTH 88°14'38" WEST, A DISTANCE OF 2.45 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 88°14'38" WEST FROM SAID POINT; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 118°50'32", FOR A DISTANCE OF 104.71 FEET; THENCE NORTH 88°14'38" WEST, A DISTANCE OF 90.87 FEET; THENCE NORTH 12°50'17" EAST, A DISTANCE OF 50.85 FEET TO THE POINT OF BEGINNING.

IN ALL CONTAINING 19.39 ACRES OR 432,804.37 SQUARE FEET MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

TRACT 1 AS SHOWN HEREON, IS HEREBY RESERVED FOR THE FEE SIMPLE OWNER, ITS SUCCESSORS AND ASSIGNS, FOR USE IN ACCORDANCE WITH ZONING REGULATIONS OF THE CITY OF DELRAY BEACH, FLORIDA, INCLUDING FUTURE AMENDMENTS ON FILE WITH THE CITY OF DELRAY BEACH, FLORIDA ZONING DEPARTMENT.

TRACT 2 AS SHOWN HEREON, IS HEREBY DEDICATED FOR THE PERPETUAL USE OF THE PUBLIC FOR PUBLIC STREET AND UTILITY PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF THE CITY OF DELRAY BEACH, FLORIDA.

THIS WATERLINE EASEMENT AS SHOWN HEREON IS DEDICATED EXCLUSIVELY TO THE CITY OF DELRAY BEACH FOR THE PURPOSE OF ACCESS, CONSTRUCTION, MAINTENANCE AND OPERATION ACTIVITIES OF WATER MAINS. THE CITY OF DELRAY BEACH IS HEREBY GRANTED THE RIGHT OF ACCESS FOR EMERGENCY AND MAINTENANCE PURPOSES.

IN WITNESS WHEREOF, THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MAYOR AND ITS SEAL TO BE AFFIXED HERETO, THIS _____ DAY OF _____, 20____.

PALM BEACH COUNTY BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA.

BY: _____ MAYOR

ATTEST: SHARON R. BOCK
CLERK & COMPTROLLER

ACKNOWLEDGMENT:

STATE OF _____
COUNTY OF _____

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2018, OF PALM BEACH COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, HE/SHE WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC, STATE OF
MY COMMISSION EXPIRES: _____

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

WE, SOUTHEAST GUARANTY & TITLE, INC., A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; THAT THE PROPERTY IS EXEMPT FROM PROPERTY TAXES; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS BEING HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: 10-11-18

SOUTHEAST GUARANTY & TITLE, INC.
BY: _____
KENNETH L. TOWNSEND, PRESIDENT

CITY OF DELRAY BEACH, FLORIDA

THIS PLAT OF "PALM TRAN SOUTH COUNTY FACILITY" WAS APPROVED ON THE _____ DAY OF _____, A.D. 2018 BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA.

MAYOR: _____ ATTEST: _____
CITY CLERK

AND REVIEWED, ACCEPTED AND CERTIFIED BY:

BY: _____ DIRECTOR OF PLANNING AND ZONING
BY: _____ CHAIRPERSON, PLANNING AND ZONING BOARD

BY: _____ CITY ENGINEER
BY: _____ CITY OF DELRAY BEACH FIRE MARSHAL

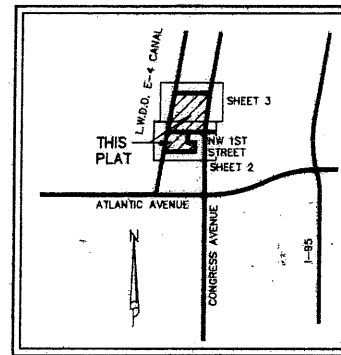
BY: _____ DIRECTOR OF ENVIRONMENTAL SERVICES

REVIEWING SURVEYOR

THIS IS TO CERTIFY THAT THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR UNDER CONTRACT WITH THE CITY OF DELRAY BEACH, FLORIDA HAS REVIEWED THE PLAT OF "PALM TRAN SOUTH COUNTY FACILITY" AS REQUIRED BY CHAPTER 177.08(1), FLORIDA STATUTES AND FIND THAT IT COMPLIES WITH ALL OF CHAPTER 177 PART 1, FLORIDA STATUTES.

DATED: 10-11-18

DAVID E. ROHAL, P.L.S.
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. LS 4315



LOCATION MAP
NOT TO SCALE

SURVEYOR'S NOTES

- BEARINGS DEPICTED HEREON ARE RELATIVE TO THE SOUTHERLY LINE OF NW 1ST STREET, SAID LINE HAVING AN ASSUMED BEARING OF SOUTH 88°14'38" EAST BASED UPON THE PROPERTY DESCRIPTION.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPERSEDDED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY; UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY; ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY; AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE CITY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- ALL DISTANCES SHOWN HEREON REFER TO THE HORIZONTAL PLANE.
- THE CITY OF DELRAY BEACH IS HEREBY GRANTED THE RIGHT OF ACCESS FOR EMERGENCY AND MAINTENANCE PURPOSES.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S"), ACCORDING TO SEC. 177.091 (9), F.S., HAVE BEEN PLACED AS REQUIRED BY LAW; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA.

DATED: 10/11/2018

DAVID A. BOWER, P.E., M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5888
DENNIS J. LEAVY AND ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: LB6599
460 BUSINESS PARK WAY, SUITE B
ROYAL PALM BEACH, FLORIDA 33411
PHONE: (561) 753 - 0650
FAX: (561) 753 - 0290

THIS INSTRUMENT WAS PREPARED BY:
DAVID A. BOWER, P.E., M. IN THE OFFICES
OF DENNIS J. LEAVY AND ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: LB6599
460 BUSINESS PARK WAY, SUITE B
ROYAL PALM BEACH, FLORIDA 33411
PHONE: (561) 753 - 0650
FAX: (561) 753 - 0290

DENNIS J. LEAVY & ASSOCIATES, INC. LAND SURVEYORS AND MAPPERS

460 BUSINESS PARK WAY * SUITE B * ROYAL PALM BEACH, FL * 33411
PHONE: (561) 753-0650 FAX: (561) 753-0290

SCALE: AS SHOWN CHECKED BY: RMM DATE: 04/05/17
DRAWN BY: DAB JOB NO.: 16-024-001

SEAL OF COUNTY COMMISSIONERS	CITY OF DELRAY BEACH	CITY OF DELRAY BEACH ENGINEER	SURVEYOR SEAL	REVIEWING SURVEYOR
---------------------------------	-------------------------	----------------------------------	---------------	--------------------

PALM TRAN SOUTH COUNTY FACILITY

BEING A RE-PLAT OF A PORTION OF TRACT 28, MODEL LAND COMPANY'S SUBDIVISION OF THE NORTH HALF AND PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST AS RECORDED IN PLAT BOOK 6, PAGE 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH A RE-PLAT OF TRACT A AND A PORTION OF TRACT B, PALM-TRAN SATELLITE FACILITY AS RECORDED IN PLAT BOOK 81, PAGE 187 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SITUATE IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

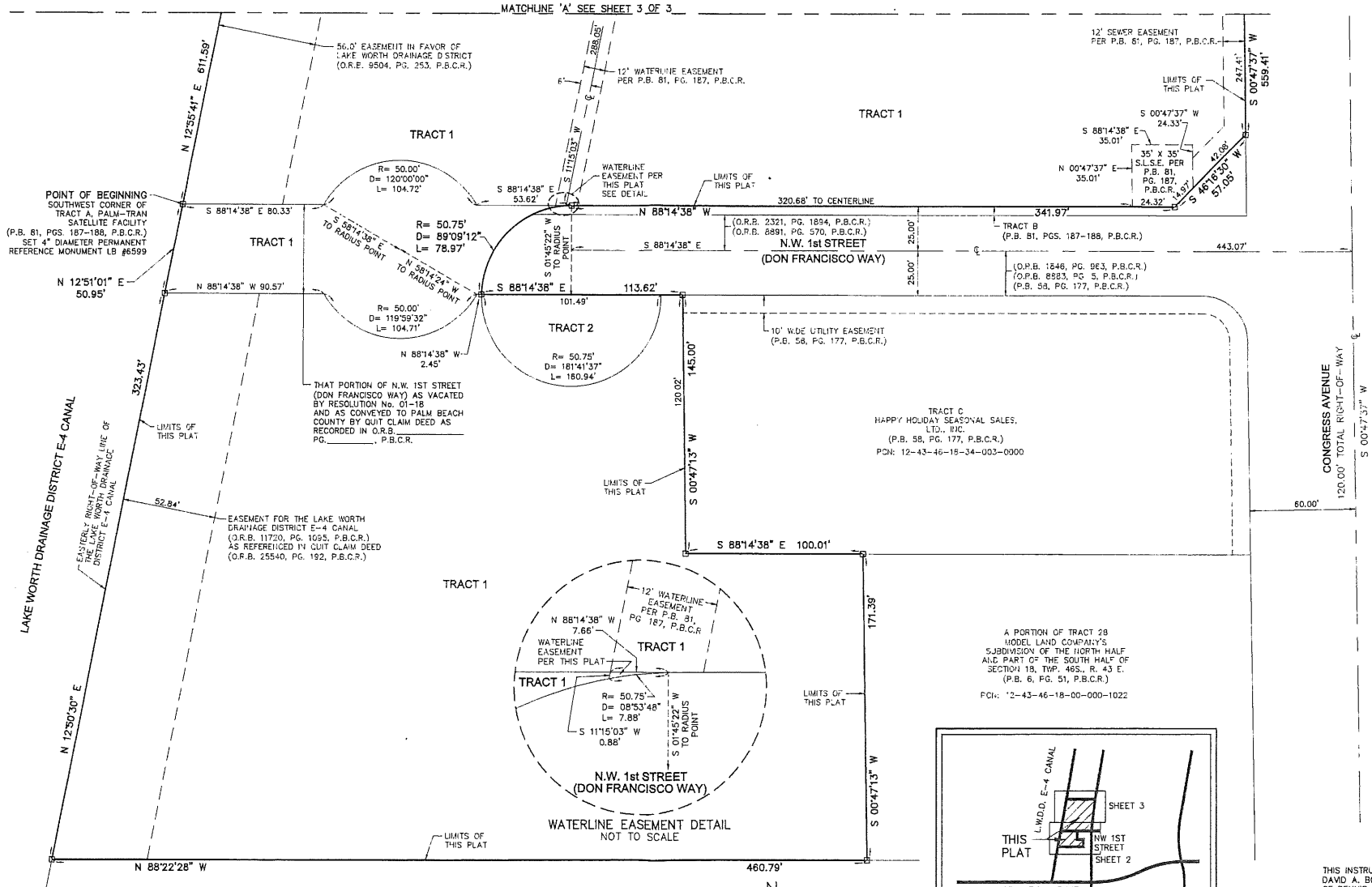
SHEET 2 OF 3

STATE OF FLORIDA)
COUNTY OF PALM BEACH) S.S.

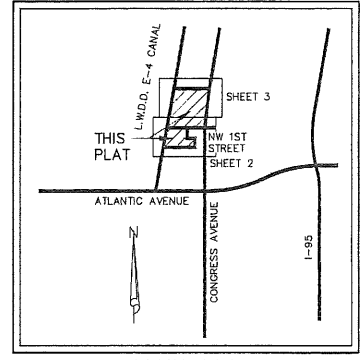
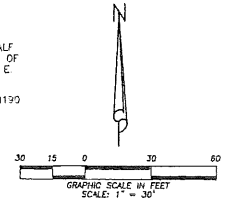
THIS INSTRUMENT WAS FILED FOR RECORD AT _____, FL. THIS _____ DAY OF _____, 20____ AND DULY RECORDED IN PLAT BOOK _____ ON PAGE _____

SHARON R. BOCK
CLERK & COMPTROLLER
PALM BEACH COUNTY

BY: _____
DEPUTY CLERK



- LEGEND**
- D = CENTRAL ANGLE
 - L = ARC LENGTH
 - LB = LICENSED BUSINESS
 - O.R.B. = OFFICIAL RECORD BOOK
 - P.B. = PLAT BOOK
 - P.B.C. = PALM BEACH COUNTY
 - P.B.C.R. = PALM BEACH COUNTY RECORDS
 - ⊕ = CENTERLINE
 - P.C.N. = PARCEL CONTROL NUMBER
 - PG. = PAGE(S)
 - P.R.M. = PERMANENT REFERENCE MONUMENT
 - R = RADIUS
 - S.L.S.E. = SEWER LIFT STATION EASEMENT
 - U.E. = UTILITY EASEMENT
 - ⊠ = PERMANENT REFERENCE MONUMENT (P.R.M.)
 - 4" DIAMETER CONCRETE MONUMENT WITH P.K. NAIL IN BRASS DISC STAMPED "FRM LB 6599"
- A PORTION OF TRACT 27
MODEL LAND COMPANY'S
SUBDIVISION OF THE NORTH HALF
AND PART OF THE SOUTH HALF OF
SECTION 18, TWP. 46S., R. 43 E.
(P.B. 6, PG. 51, P.B.C.R.)
P.C.N.: 12-43-46-18-00-000-1120



DENNIS J. LEAVY & ASSOCIATES, INC.
LAND SURVEYORS AND MAPPERS

480 BUSINESS PARK WAY • SUITE B • ROYAL PALM BEACH, FL • 33411
PHONE: (561) 753-0680 FAX: (561) 753-0290

SCALE: AS SHOWN CHECKED BY: RMM DATE: 04/05/17
DRAWN BY: DAB JOB NO.: 15-024-001

A PORTION OF TRACT 28
MODEL LAND COMPANY'S
SUBDIVISION OF THE NORTH HALF
AND PART OF THE SOUTH HALF OF
SECTION 18, TWP. 46S., R. 43 E.
(P.B. 6, PG. 51, P.B.C.R.)
P.C.N.: 12-43-46-18-00-000-1022

TRACT C
HAPPY HOLIDAY SEASONAL SALES,
LTD., INC.
(P.B. 58, PG. 177, P.B.C.R.)
P.C.N.: 12-43-46-18-34-003-0900

THAT PORTION OF N.W. 1ST STREET
(DON FRANCISCO WAY) AS VACATED
BY RESOLUTION NO. 01-18
AND AS CONVEYED TO PALM BEACH
COUNTY BY QUIT CLAIM DEED AS
RECORDED IN O.R.B.
PG. _____, P.B.C.R.

EASEMENT FOR THE LAKE WORTH
DRAINAGE DISTRICT E-4 CANAL
(O.R.B. 11720, PG. 1055, P.B.C.R.)
AS REFERENCED IN QUIT CLAIM DEED
(O.R.B. 25540, PG. 182, P.B.C.R.)

POINT OF BEGINNING
SOUTHWEST CORNER OF
TRACT A, PALM-TRAN
SATELLITE FACILITY
(P.B. 81, PGS. 187-188, P.B.C.R.)
SET 4" DIAMETER PERMANENT
REFERENCE MONUMENT LB #6599

MATCHLINE 'A' SEE SHEET 3 OF 3

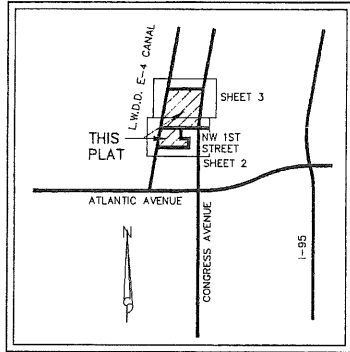
PALM TRAN SOUTH COUNTY FACILITY

BEING A RE-PLAT OF A PORTION OF TRACT 28, MODEL LAND COMPANY'S SUBDIVISION OF THE NORTH HALF AND PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST AS RECORDED IN PLAT BOOK 6, PAGE 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. TOGETHER WITH A RE-PLAT OF TRACT A AND A PORTION OF TRACT B, PALM-TRAN SATELLITE FACILITY AS RECORDED IN PLAT BOOK 81, PAGE 187 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
SITUATE IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.
SHEET 3 OF 3

STATE OF FLORIDA }
COUNTY OF PALM BEACH } S.S.

THIS INSTRUMENT WAS FILED FOR RECORD AT _____ M.
THIS _____
DAY OF _____, 20____
AND DULY RECORDED IN:
PLAT BOOK _____
ON PAGE _____
SHARON R. BODK
CLERK & COMPTROLLER
PALM BEACH COUNTY

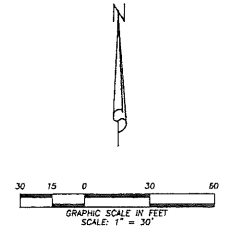
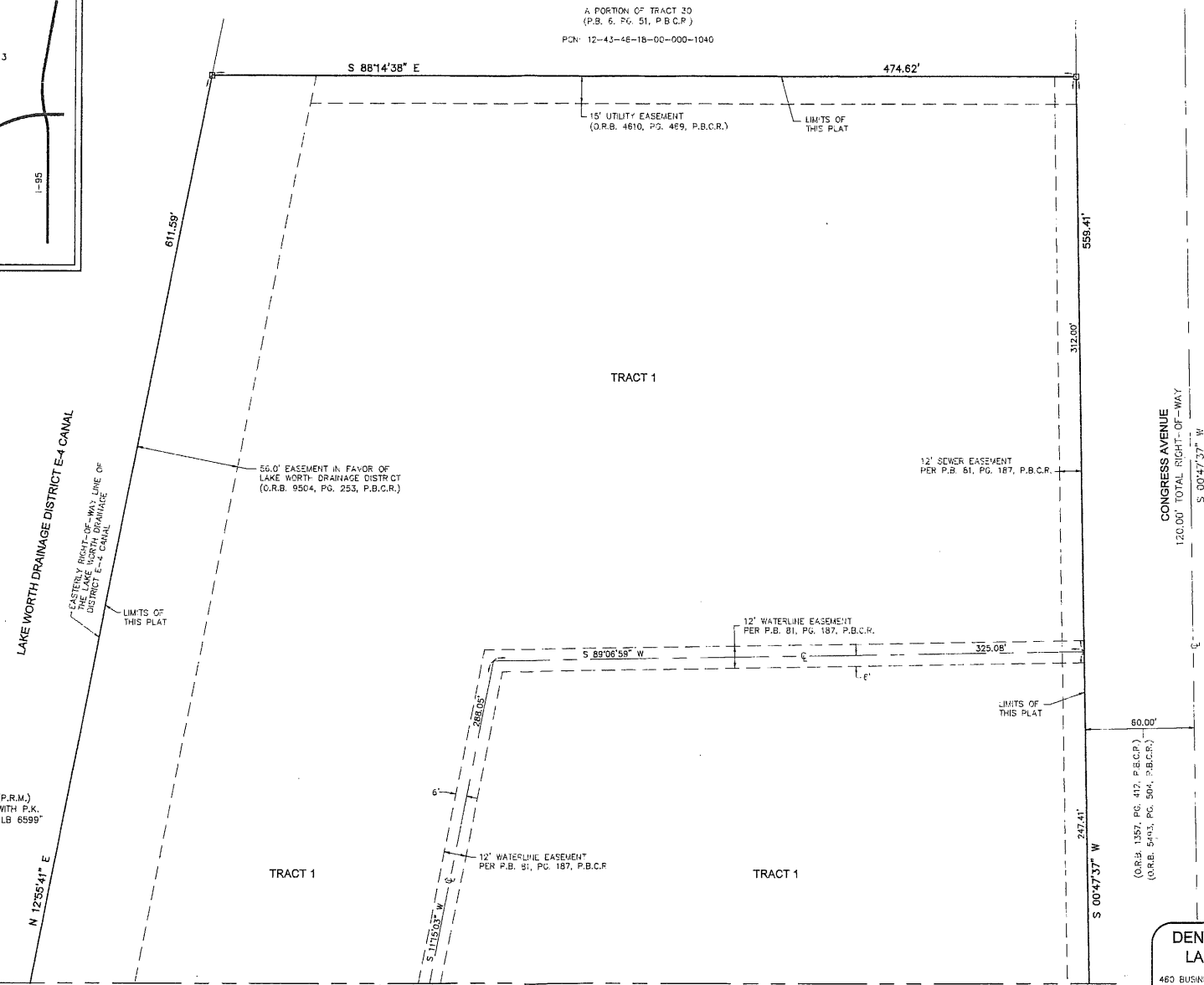
BY: _____
DEPUTY CLERK



LOCATION MAP
NOT TO SCALE

LEGEND

- D = CENTRAL ANGLE
- L = ARC LENGTH
- LB = LICENSED BUSINESS
- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- P.B.C. = PALM BEACH COUNTY
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- P.R.M. = PERMANENT REFERENCE MONUMENT
- R = RADIUS
- U.E. = UTILITY EASEMENT
- = PERMANENT REFERENCE MONUMENT (P.R.M.)
4" DIAMETER CONCRETE MONUMENT WITH P.K.
NAIL IN BRASS DISC STAMPED "PRM LB 6599"
- ⊕ = CENTERLINE



THIS INSTRUMENT WAS PREPARED BY:
DAVID A. BOWER, P.S.M. #5868 IN THE OFFICES
OF DENNIS J. LEAVY AND ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER: LB6599
460 BUSINESS PARK WAY, SUITE B
ROYAL PALM BEACH, FLORIDA 33411
PHONE: (561) 753 - 0650
FAX: (561) 753 - 0290

DENNIS J. LEAVY & ASSOCIATES, INC.
LAND SURVEYORS AND MAPPERS

460 BUSINESS PARK WAY • SUITE B • ROYAL PALM BEACH, FL • 33411
PHONE: (561) 753-0650 FAX: (561) 753-0290

SCALE: AS SHOWN CHECKED BY: PHM DATE: 04/05/17
DRAWN BY: DAS JOB NO.: 15-024-001

MATCHLINE "A" SEE SHEET 2 OF 3

ATTACHMENT #4
Easement with Exhibit "A" and "B" - 13 PAGES

EASEMENT

THIS IS AN EASEMENT, granted _____ by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, herein referred to as "COUNTY" and **LAKE WORTH DRAINAGE DISTRICT**, a Special Taxing District of the State of Florida, whose address is 13081 Military Trail, Delray Beach, Florida 33484, herein referred to as "DISTRICT".

WITNESSETH:

That COUNTY for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and does hereby grant, bargain, sell and convey unto DISTRICT, its successors and assigns, upon the conditions hereinafter set forth, a perpetual exclusive easement for purposes of construction, operation and maintenance of a canal, drainage ditch, sluice ways, spoil deposit, water control structures, and berm and other related purposes, including without limitation excavation, removal of vegetation and deposit of spoil; on, over, upon, under, and across the following described real property (the "Easement Premises") situate, lying and being in the County of Palm Beach, State of Florida, attached hereto and made a part hereof as Exhibit "A".

Together with a perpetual, non-exclusive access easement on, over, upon and across the property described in Exhibit "B" attached hereto (the "Access Easement") for access, ingress and egress to the Easement Premises, for the benefit of DISTRICT, its successors and assigns, invites, agent, guests, contractors and others associated therewith.

THE CONDITIONS OF THIS EASEMENT ARE SUCH THAT:

1. DISTRICT shall cause the facilities and their appurtenances to be constructed within the confines of the Easement Premises.

2. DISTRICT hereby expressly agrees that in the event that DISTRICT abandons its use of the Easement Premises for the purpose 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 automatically revert to COUNTY.

3. DISTRICT further expressly agrees to maintain, at its sole cost and expense, the canal, drainage ditch, sluice ways, water control structures, berm, and all appurtenances thereto within the Easement Premises at all times during the term hereof in accordance with DISTRICT'S usual and customary standards of maintenance of its facilities and canals.

4. Each party shall be liable for its own actions and negligence and, to the extent permitted by law, County shall indemnify, defend and hold harmless DISTRICT against any actions, claims, or damages arising out of COUNTY'S negligence in connection with this agreement, and DISTRICT shall indemnify, defend and hold harmless COUNTY against any actions, claims, or damages arising out of DISTRICT'S negligence in connection with this agreement. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond or alter the limits set forth in Florida Statutes Section 768.28, nor shall the same be construed to constitute agreement by either party to indemnify the other party for such other party's, or any third party's negligent, willful or intentional acts or omissions.

TO HAVE AND TO HOLD the premises, rights, and easement granted herein unto DISTRICT, its successors and assigns, for the purposes aforesaid forever.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, COUNTY has caused these present 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: _____
, 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"

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND THE PALM BEACH COUNTY STATE PLANE COORDINATE SYSTEM REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY PPM# CW-0-058.

David A. Bower 9/21/18

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

DESCRIPTION:

A PARCEL OF LAND LYING WITHIN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT A, PALM-TRAN SATELLITE FACILITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 187 AND 188 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°14'38" EAST, A DISTANCE OF 57.08 FEET; THENCE SOUTH 16°22'25" WEST, A DISTANCE OF 51.67 FEET; THENCE NORTH 88°14'38" WEST, A DISTANCE OF 53.85 FEET; THENCE NORTH 12°51'01" EAST, A DISTANCE OF 50.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,773 SQUARE FEET MORE OR LESS.

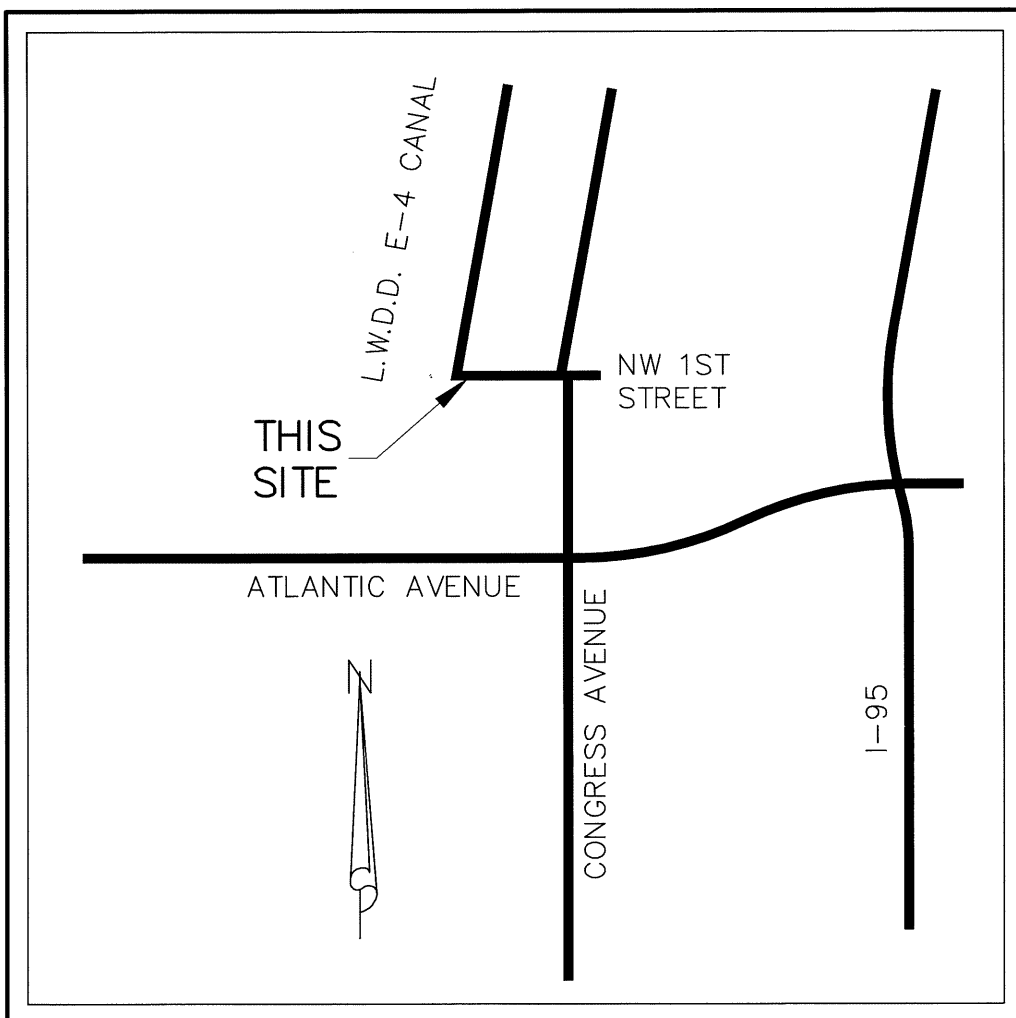
1	09/21/18	ADD EXHIBIT "A"	DAB
NO.	DATE	REVISIONS	BY

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: BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 07/26/18
CHK: MH	JOB# 18-053 SD 1	SHEET: 1 OF 5

EXHIBIT "A"



LOCATION MAP
NOT TO SCALE

LEGEND:

- | | |
|--------------------------------------|---------------------------------------|
| (C) = CALCULATED | P.O.B. = POINT OF BEGINNING |
| D = CENTRAL ANGLE | P.R.M. = PERMANENT REFERENCE MONUMENT |
| L = ARC LENGTH | R = RADIUS |
| LB = LICENSED BUSINESS | U.E. = UTILITY EASEMENT |
| O.R.B. = OFFICIAL RECORDS BOOK | ± = MORE OR LESS |
| P.B. = PLAT BOOK | (P) = PER THE PLAT OF |
| P.B.C.R. = PALM BEACH COUNTY RECORDS | PALM TRAN SATELLITE FACILITY |
| PCN = PARCEL CONTROL NUMBER | (P.B. 81, PG. 187, P.B.C.R.) |
| PG. = PAGE | |

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: BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 07/26/18
CHK: MH	JOB# 18-053 SD 1	SHEET: 2 OF 5

SURVEYOR'S NOTES:

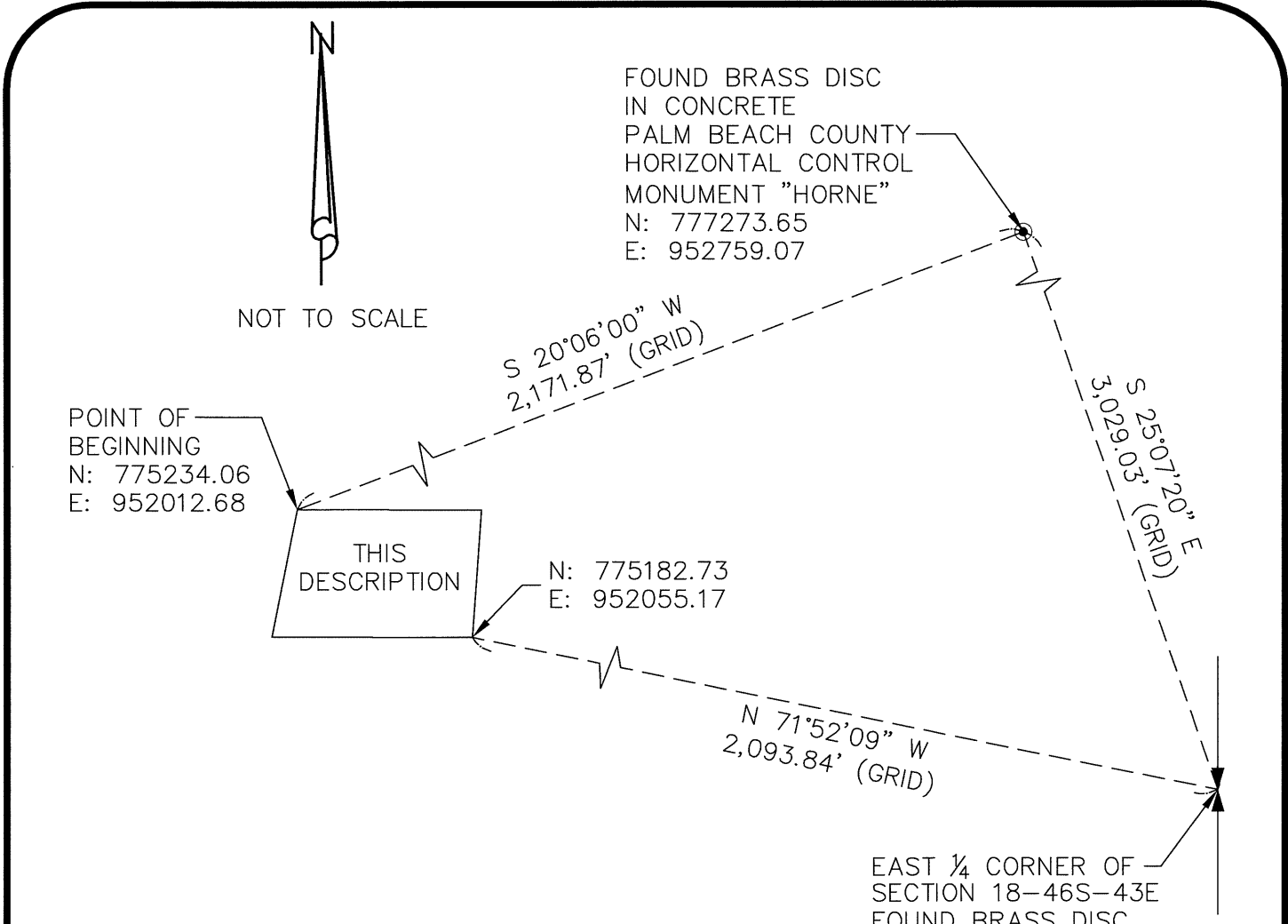
1. BEARINGS DEPICTED HEREON ARE BASED UPON THE LINE BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL MONUMENT "HORNE" AND THE EAST ¼ CORNER OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. SAID LINE BEING MONUMENTED AND HAVING A GRID BEARING OF SOUTH 25°07'20" EAST (NAD 83/90).
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: BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 07/26/18
CHK: MH	JOB# 18-053 SD 1	SHEET: 3 OF 5

EXHIBIT "A"



NOT TO SCALE

POINT OF BEGINNING
N: 775234.06
E: 952012.68

THIS DESCRIPTION

N: 775182.73
E: 952055.17

FOUND BRASS DISC
IN CONCRETE
PALM BEACH COUNTY
HORIZONTAL CONTROL
MONUMENT "HORNE"
N: 777273.65
E: 952759.07

S 20°06'00" W
2,171.87' (GRID)

S 25°07'20" E
3,029.03' (GRID)

N 71°52'09" W
2,093.84' (GRID)

EAST 1/4 CORNER OF
SECTION 18-46S-43E
FOUND BRASS DISC
IN CONCRETE
N: 774531.16
E: 954045.05

COORDINATE TRANSLATION DATA

- 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
- GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED
- SCALE FACTOR = 1.0000410

S 89°21'29" E (PLAT)
S 88°14'38" E (GRID)
NORTH RIGHT-OF-WAY
LINE OF NW 1st STREET

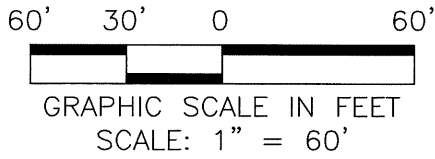
01°06'51" =
CLOCKWISE
BEARING ROTATION
(PLAT TO GRID)

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
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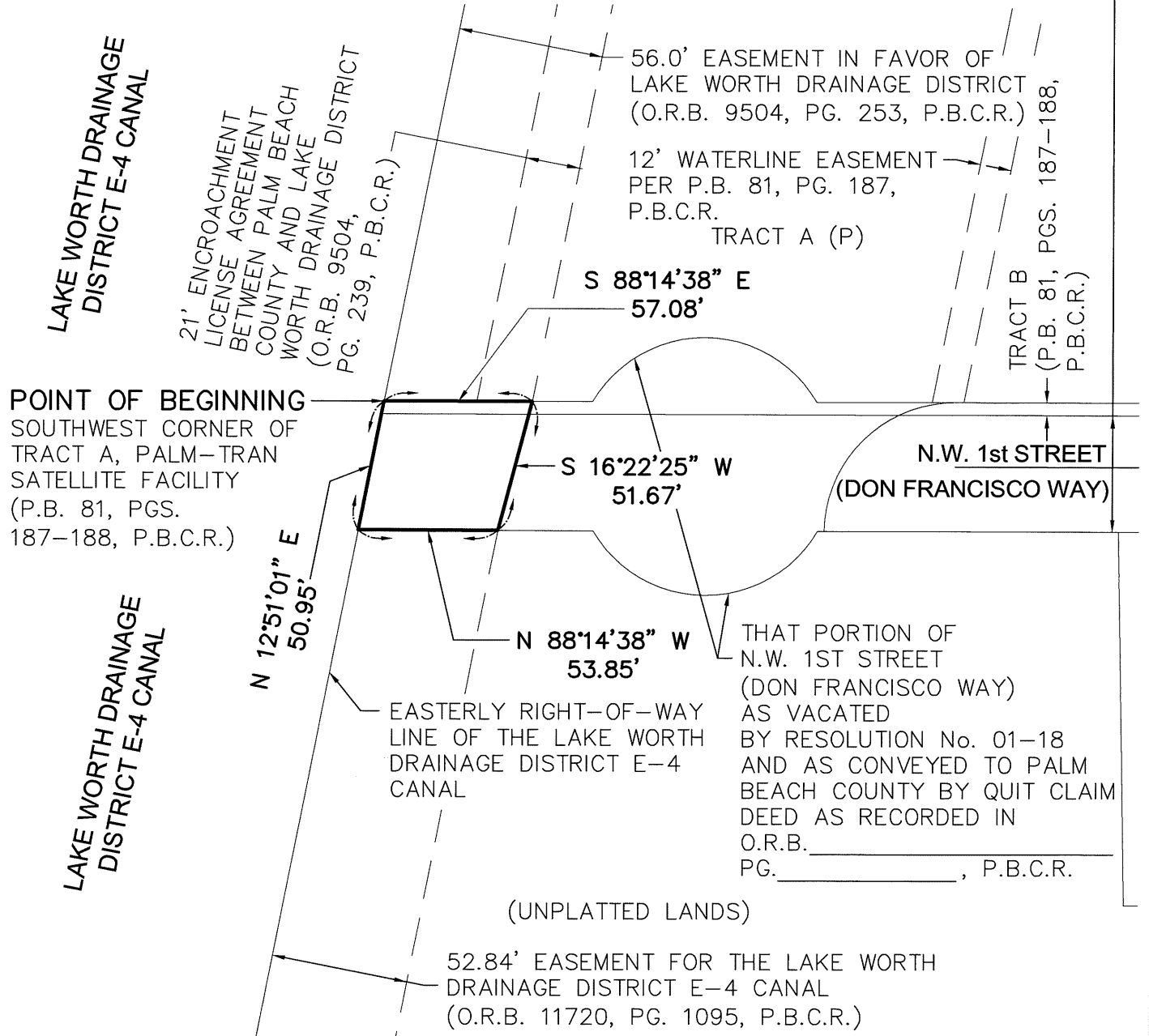
SKETCH & DESCRIPTION
For: BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 07/26/18
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EXHIBIT "A"



(O.R.B. 2321, PG. 1894, P.B.C.R.)
(O.R.B. 8891, PG. 570, P.B.C.R.)
(O.R.B. 1846, PG. 963, P.B.C.R.)
(O.R.B. 8883, PG. 5, P.B.C.R.)



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SKETCH & DESCRIPTION
For: BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: 1"=60'	DATE: 07/26/18
CHK: MH	JOB# 18-053 SD 1	SHEET: 5 OF 5

EXHIBIT "B"

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND THE PALM BEACH COUNTY STATE PLANE COORDINATE SYSTEM REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY PPM# CW-0-058.

David A. Bower 9/21/18

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

DESCRIPTION:

A 20.00 FOOT WIDE STRIP OF LAND LYING WITHIN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT A, PALM-TRAN SATELLITE FACILITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 187 AND 188 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°14'38" EAST ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 57.08 FEET; THENCE SOUTH 16°22'25" WEST, A DISTANCE OF 18.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°14'38" EAST, A DISTANCE OF 129.32 FEET TO A POINT BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 48°15'01" EAST FROM SAID POINT; THENCE SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.75 FEET, A CENTRAL ANGLE OF 25°35'53", FOR A DISTANCE OF 22.67 FEET; THENCE NORTH 88°14'38" WEST, A DISTANCE OF 124.26 FEET; THENCE NORTH 16°22'25" EAST, A DISTANCE OF 20.67 FEET TO THE POINT OF BEGINNING.

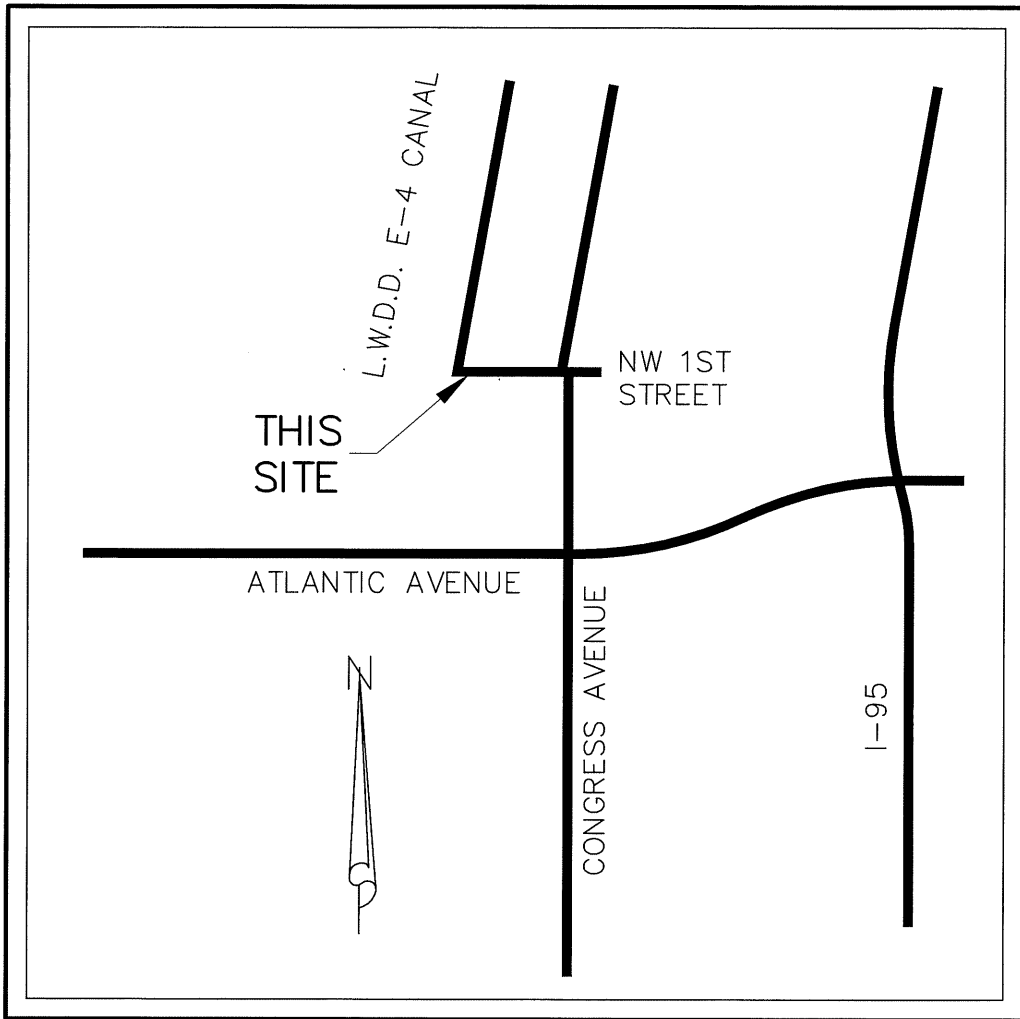
CONTAINING 2,517 SQUARE FEET MORE OR LESS.

1	09/21/18	ADD EXHIBIT "B"	DAB
NO.	DATE	REVISIONS	BY

Dennis J. Leavy & Associates, Inc.
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 Royal Palm Beach, Florida 33411
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SKETCH & DESCRIPTION		
For: BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA		
DRAWN: DB	SCALE: N/A	DATE: 07/13/18
CHK: MH	JOB# 18-053 SD 2	SHEET: 1 OF 5

EXHIBIT "B"



LOCATION MAP
NOT TO SCALE

LEGEND:

- | | |
|--------------------------------------|---------------------------------------|
| (C) = CALCULATED | P.O.B. = POINT OF BEGINNING |
| D = CENTRAL ANGLE | P.O.C. = POINT OF COMMENCEMENT |
| L = ARC LENGTH | P.R.M. = PERMANENT REFERENCE MONUMENT |
| LB = LICENSED BUSINESS | R = RADIUS |
| O.R.B. = OFFICIAL RECORDS BOOK | U.E. = UTILITY EASEMENT |
| P.B. = PLAT BOOK | ± = MORE OR LESS |
| P.B.C.R. = PALM BEACH COUNTY RECORDS | (P) = PER THE PLAT OF |
| PCN = PARCEL CONTROL NUMBER | PALM TRAN SATELLITE FACILITY |
| PG. = PAGE | (P.B. 81, PG. 187, P.B.C.R.) |

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PALM BEACH COUNTY, FLORIDA

DRAWN: DB	SCALE: N/A	DATE: 07/13/18
CHK: MH	JOB# 18-053 SD 2	SHEET: 2 OF 5

SURVEYOR'S NOTES:

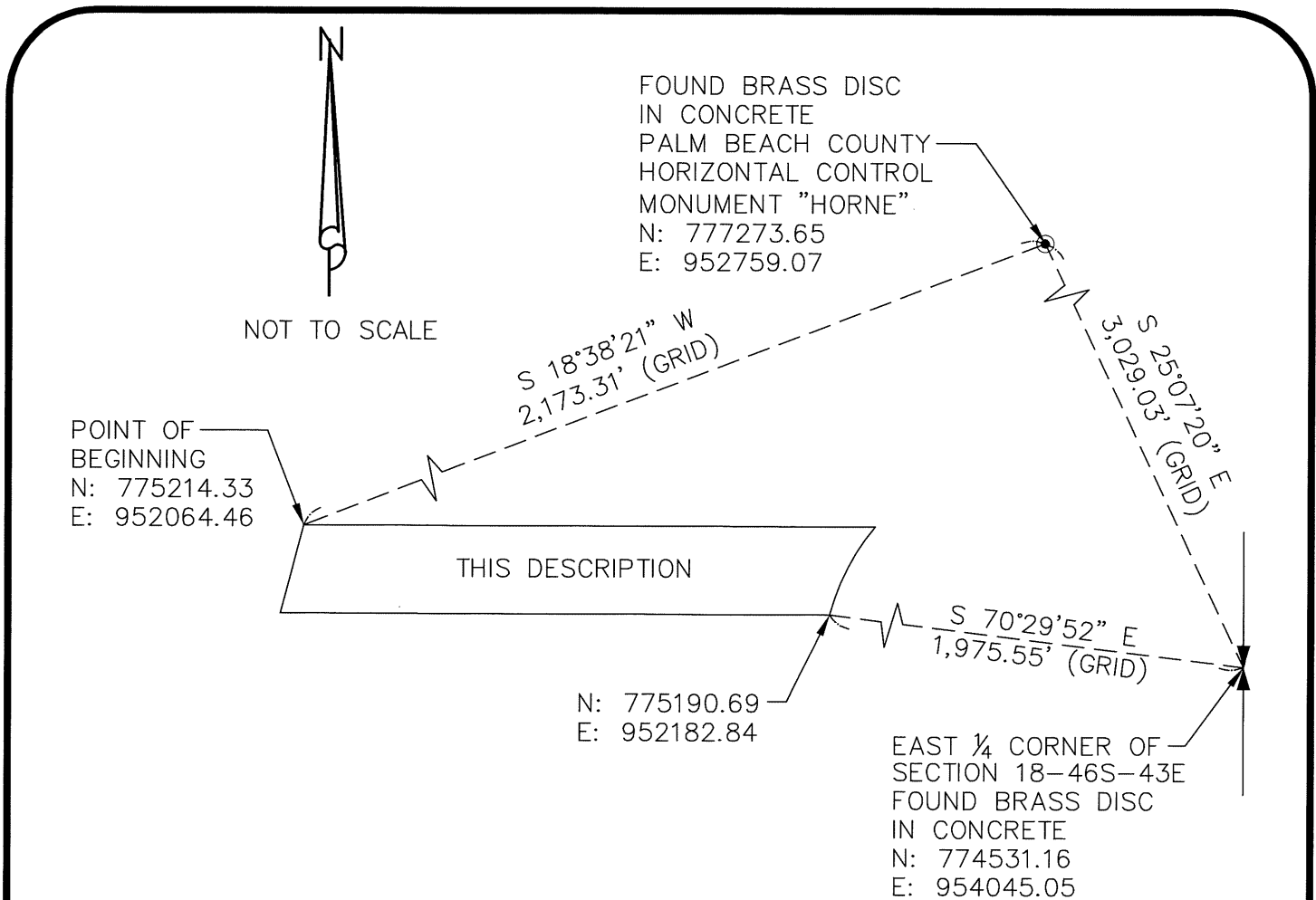
1. BEARINGS DEPICTED HEREON ARE BASED UPON THE LINE BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL MONUMENT "HORNE" AND THE EAST ¼ CORNER OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. SAID LINE BEING MONUMENTED AND HAVING A GRID BEARING OF SOUTH 25°07'20" EAST (NAD 83/90).
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.

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SKETCH & DESCRIPTION
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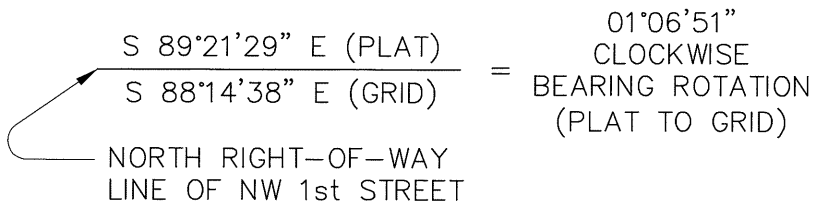
DRAWN: DB	SCALE: N/A	DATE: 07/13/18
CHK: MH	JOB# 18-053 SD 2	SHEET: 3 OF 5

EXHIBIT "B"



COORDINATE TRANSLATION DATA

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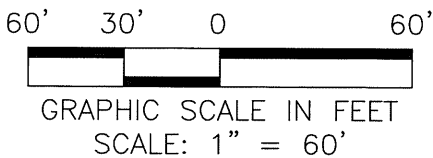


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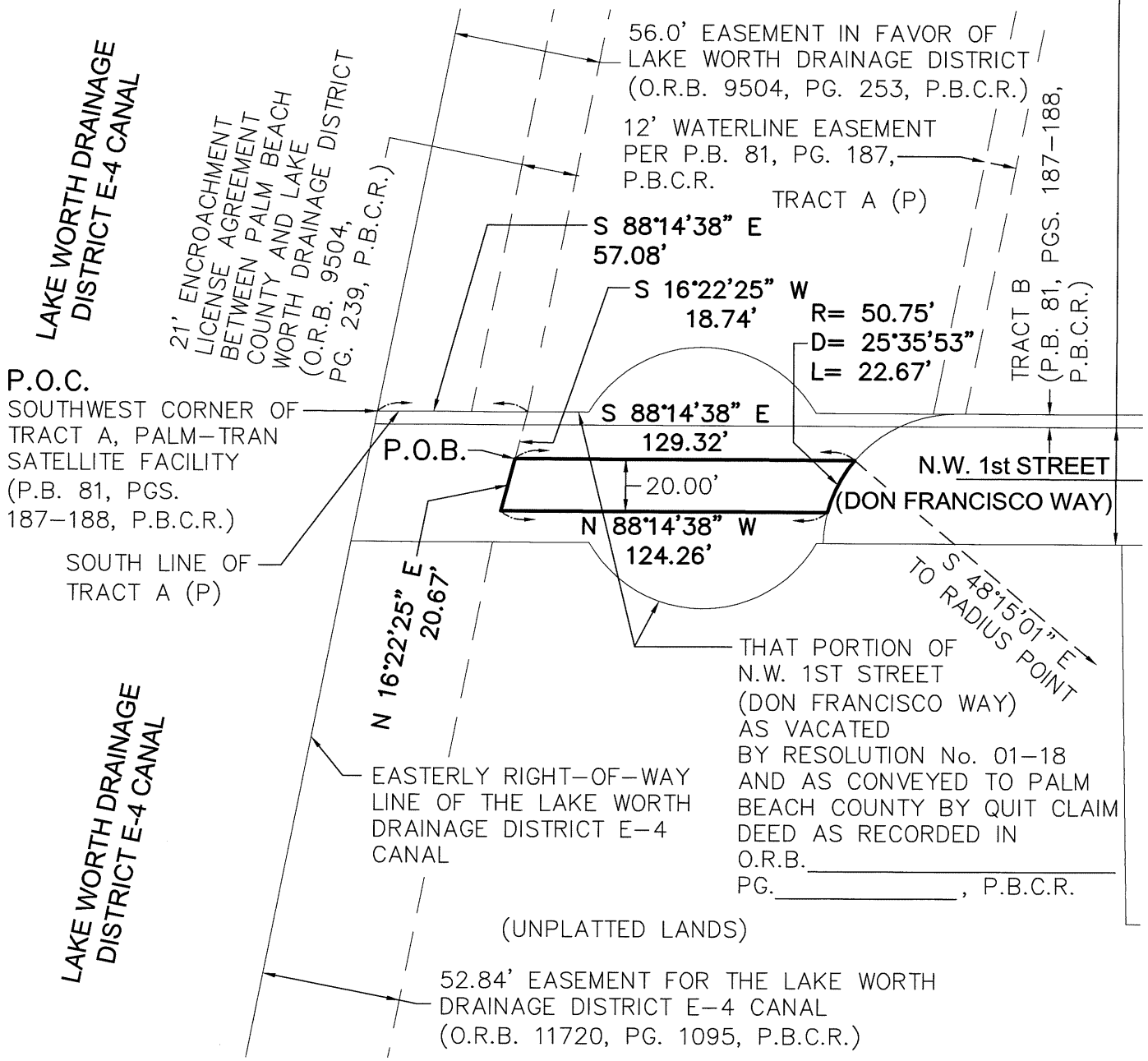
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DRAWN: DB	SCALE: N/A	DATE: 07/13/18
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EXHIBIT "B"



(O.R.B. 2321, PG. 1894, P.B.C.R.)
 (O.R.B. 8891, PG. 570, P.B.C.R.)
 (O.R.B. 1846, PG. 963, P.B.C.R.)
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ATTACHMENT #5

First Amendment to Easement with Exhibit "A" – 5 PAGES

PREPARED BY:
Mark A. Perry, P.A.
88 NE 5th Avenue
Delray Beach, FL 33483

RETURN TO:
Lake Worth Drainage District
13081 S Military Trail
Delray Beach, FL 33484

FIRST AMENDMENT TO EASEMENT

THIS FIRST AMENDMENT TO EASEMENT (“Amendment”) is made and entered into on _____, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605 hereinafter referred to as “County”, and the **LAKE WORTH DRAINAGE DISTRICT**, a Special Taxing District existing under the Laws of the State of Florida, having a principal place of business at 13081 Military Trail, Delray Beach, Florida 33484-1105, hereinafter referred to as “District”.

WITNESSETH:

WHEREAS, County granted District an Easement dated September 17, 1996 (R96-1303D), (the “Easement”), as recorded in Official Record Book 9504, Page 253 of the Public Records of Palm Beach County, Florida for a 56’ wide canal easement as part of the District’s Equalizer Canal No. 4 right-of-way as legally described in Exhibit “A” attached hereto and made a part hereof, subject to the County’s obligation to maintain an encroachment area as referenced below in the Encroachment License Agreement; and

WHEREAS, County and District entered into that certain Termination of Encroachment License Agreement dated _____, 2018 (R_____ - _____), as recorded in Official Record Book _____, Page _____ of the Public Record of Palm Beach County, Florida; and

WHEREAS, the parties desire to terminate the County’s obligation to maintain improvements as set forth in the Easement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning ascribed to them in the Easement.

2. Paragraph 3 of the conditions of the Easement is hereby deleted in its entirety and replaced with the following:

3. The DISTRICT further expressly agrees to maintain, at its sole cost and expense, the canal, drainage ditch, sluice ways, water control structures, berm, and all appurtenances thereto within the Easement Premises at all times during the term hereof in accordance with the DISTRICT'S usual and customary standards of maintenance of its facilities and canals.

3. Except as expressly set forth herein, the Easement shall remain in full force and effect.

4. This Amendment shall become effective upon approval and execution by all parties.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, County and District have executed this Amendment or have caused the same 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

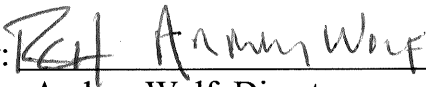
By: _____
, Mayor

SEAL

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By:  _____
Assistant County Attorney

By:  _____
Audrey Wolf, Director
Facilities Development & Operations

ATTEST:

DISTRICT:

LAKE WORTH DRAINAGE DISTRICT, a Special Taxing District of the State of Florida

By: _____, Secretary

By: _____ James Alderman, President

SEAL

Signed and delivered in the presence of:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____ Mark A. Perry, General Counsel

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

State of Florida)
County of Palm Beach)

The foregoing instrument was sworn to, subscribed and acknowledged before me this ___ day of _____, 2018, by _____ [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

Notary Public

(Print Notary Name)
NOTARY PUBLIC
State of Florida at Large
My Commission Expires:_____

EXHIBIT "A"

56' WIDE CANAL DESCRIPTION

The Westerly 56.00 feet as measured at right angles to the west line of a parcel of land in the North One-Half of the Southwest One-Quarter of the Northeast One-Quarter of Section 18, Township 46 South, Range 43 East, in Palm Beach County, Florida, being described as follows:

Commencing at the intersection of the East right-of-way line of Lake Worth Drainage District (LWDD) Canal No. E-4, with the South line of the North One-Half of the Southwest One-Quarter of the Northeast One-Quarter of Section 18, Township 46 South, Range 43 East, in Palm Beach County, Florida, thence North $11^{\circ} 48' 50''$ East along said East right-of-way of LWDD Canal E-4, a distance of 20.39 feet to the Point of Beginning, said Point being the intersection of the East right-of-way line of LWDD Canal No. E-4, with the North right-of-way line of N.W. 1st Street a/k/a Don Francisco's Way, as recorded in Official Record Book 2321 Page 1894 of the Public Records of Palm Beach County, Florida, said line being parallel to and 20 feet Northerly from the South line of the North One-Half of the Southwest One-Quarter of the Northeast One-Quarter of said Section 18; thence South $89^{\circ} 21' 29''$ East along said North right-of-way line a distance of 604.27 feet to the West right-of-way line of Congress Avenue as shown on Palm Beach County right-of-way Drawing No. 85-045 R/W for Congress Ave., thence North $00^{\circ} 19' 14''$ West along said West right-of-way line, a distance of 605.09 feet; thence North $89^{\circ} 21' 29''$ West along a line parallel to and 625 feet Northerly from the South line on the North One-Half of the Southwest One-Quarter of the Northeast One-Quarter of said Section 18, a distance of 474.62 feet to the intersection of the East right-of-way line of LWDD Canal No. E-4; thence South $11^{\circ} 48' 50''$ West along said East right-of-way line of LWDD Canal No. E-4, a distance of 616.69 Feet to the Point of Beginning.

ATTACHMENT # 6
Termination of Encroachment License Agreement - 3 PAGES

PREPARED BY:
Mark A. Perry, P.A.
88 NE 5th Avenue
Delray Beach, FL 33483

RETURN TO:
Lake Worth Drainage District
13081 S Military Trail
Delray Beach, FL 33484

TERMINATION OF ENCROACHMENT LICENSE AGREEMENT

THIS TERMINATION OF ENCROACHMENT LICENSE AGREEMENT (“Termination”) is made and entered into on _____, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as “County” and the **LAKE WORTH DRAINAGE DISTRICT**, a Special Taxing District of the State of Florida, by and through its Board of Supervisors, hereinafter referred to as “District”.

WITNESSETH:

WHEREAS, County and District entered into that certain Encroachment License Agreement dated September 17, 1996 (R96-1304D), (the “Agreement”), as recorded in Official Record Book 9504, Page 239 of the Public Records of Palm Beach County, Florida relating to the County’s right to encroach into the eastern 21 feet of the District’s Equalizer Canal No. 4 easement right-of-way, for the purpose of planting trees, vegetation, and to construct a berm to act as a buffer on the real property described in the Agreement; and

WHEREAS, the parties desire to terminate the Agreement and terminate the County’s obligation to maintain improvements as set forth in the Agreement

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. County and District hereby terminate, cancel and extinguish the Agreement and any County obligation to maintain any improvements as referenced in the Agreement. The parties thereto shall be relieved of all further obligations thereunder.
3. This Termination shall become effective upon approval and execution by all parties.

IN WITNESS WHEREOF, County and District have executed this Termination of Encroachment License Agreement or have caused the same 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

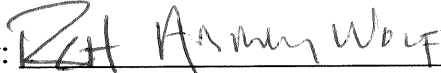
By: _____
, Mayor

SEAL

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By:  _____
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By:  _____
Audrey Wolf, Director
Facilities Development & Operations

