

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: December 17, 2019	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing

Submitted By: Department of Airports

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

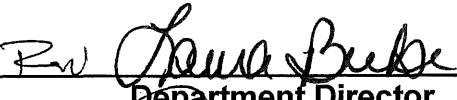
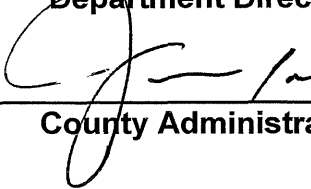
- A) Declaration of Drainage Easement for a dry detention area and underground culvert pipe for surface water runoff associated with improvements to Wallis Road, between Haverhill Road and Military Trail, west of the Palm Beach International Airport (PBI); and
- B) Declaration of Sidewalk Easement for sidewalk and related improvements associated with the improvements to Wallis Road.

Summary: Wallis Road is being improved from Haverhill Road to Military Trail, west of PBI. The Declaration of Drainage Easement allow surface water runoff from Wallis Road to be directed to a dry detention area and through an underground culvert pipe, both on a portion of Airport property within PBI’s future runway protection zone (RPZ), to the Lake Worth Drainage District (LWDD) L-4 Canal. The Declaration of Sidewalk Easement will provide for a sidewalk and related improvements associated with the Wallis Road improvements. **Countywide (HF)**

Background and Justification: The Declaration of Drainage Easement encompasses two parcels within PBI’s future RPZ; a dry detention area containing approximately 54,663.37 square feet (1.255 acre), and a culvert pipeline area containing approximately 23,261.07 square feet, (0.54 acre). The Declaration of Sidewalk Easement encompasses a 7 foot wide strip of land that was not previously dedicated as Wallis Road right-of-way. The Declarations memorialize the existence of facilities on County-owned property.

- Attachments:**
- 1. Declaration of Drainage Easement (1)
 - 2. Declaration of Sidewalk Easement (1)

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Recommended By:	 Department Director	<u>12 - 4 - 19</u> Date
Approved By:	 County Administrator	<u>12/10/19</u> Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures					
Operating Costs					
Operating Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$-0-	\$-0-	\$-0-	\$-0-	\$-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No
Does this item include the use of federal funds? Yes No

Budget Account No: Fund Department Unit RSource
Reporting Category

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

No fiscal impact.

C. Departmental Fiscal Review: mm Simmer

III. REVIEW COMMENTS

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

 12/4/19
OFMB
12/3 12/4

 12/5/19
Contract Dev. and Control
12/5/19 TW

B. Legal Sufficiency:

 12/6/19
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 9/03
ADM FORM 01
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

Prepared by and return to:
Ray Walter, Deputy Director
Palm Beach County Dept of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406

PCN 00-42-43-36-17-000-0010

DECLARATION OF DRAINAGE EASEMENT

THIS IS A DECLARATION OF DRAINAGE EASEMENT, made this _____
by PALM BEACH COUNTY, a political subdivision of the State of Florida ("County") whose address is c/o
Palm Beach County Department of Airports, 846 Palm Beach International Airport, West Palm Beach, Florida,
33406.

WHEREAS, County is the owner and operator of Palm Beach International Airport located in Palm
Beach County, Florida (the "Airport"); and

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

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

WITNESSETH:

NOW, THEREFORE, County does hereby declare, grant and create a perpetual in gross drainage
easement for the benefit of County upon the property legally described in Exhibit "A" attached hereto (the "Dry
Detention Easement Premises"), and upon the property legally described in Exhibit "B" attached hereto (the
"Drainage Culvert Easement Premises") (the Dry Detention Easement Premises and the Drainage Culvert
Easement Premises shall collectively be referred to as the "Easement Premises"). This easement shall be for
the sole purpose of the dry detention of discharge from the Wallis Road right of way upon the Dry Detention
Easement Premises, and for the sole purpose of an underground drainage culvert upon the Drainage Culvert
Easement Premises, and shall include the right at any time to install, operate, maintain, service, construct,
reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect such drainage, detention
and conveyance facilities and all appurtenances thereto with the full right to ingress thereto and egress
therefrom in, on, over, under and across the Easement Premises.

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

Use of the Easement Premises, including the height of any equipment or facilities, shall comply with
14 CFR Part 77, as now or hereafter amended. No use of the Easement Premises shall be conducted in a manner
which would interfere with the landing at or taking off from the Airport; interfere with air navigation and/or
communication facilities serving the Airport; or otherwise would constitute an airport hazard, including, but
not limited to, wildlife hazards as provided in FAA Advisory Circular No. 150/5200-33, Hazardous Wildlife
Attractants on or Near Airports, as now or hereafter amended.

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

ATTEST:

SHARON R. BOCK

By: _____
Clerk & Comptroller

(SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

PALM BEACH COUNTY, a political
subdivision of the State of Florida by its
Board of County Commissioners

By: _____
Dave Kerner, Mayor

APPROVED AS TO TERMS AND
CONDITIONS

By: Lana Burke
Department Director

Exhibit “A”
(the “Dry Detention Easement Premises”)

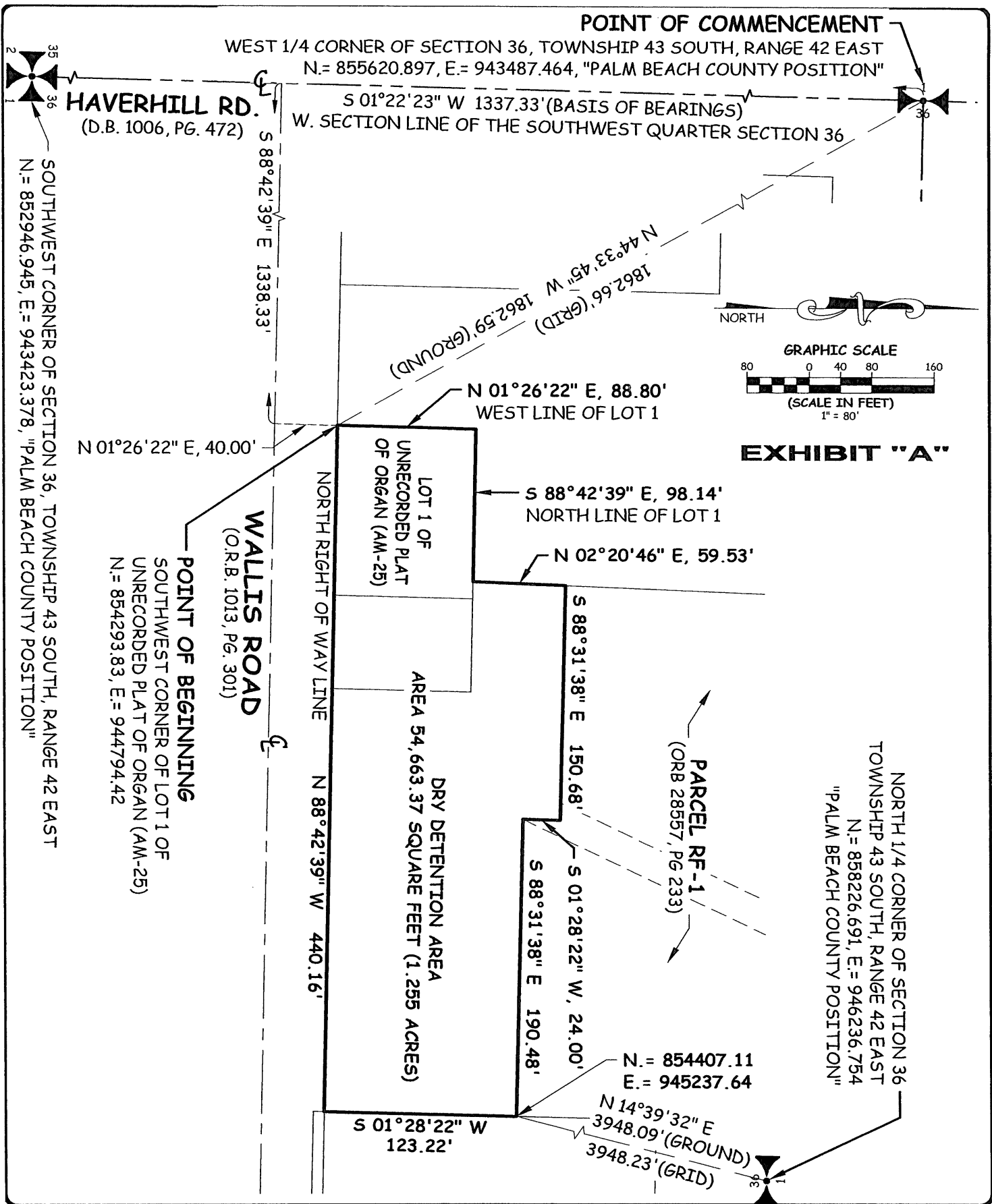
SURVEYOR'S NOTES

- ## LAND SURVEYOR'S STATEMENT

Gary Williams Digitally signed by Gary Williams
Date: 2019.12.03 09:00:40 -05'00'

THIS IS NOT A BOUNDARY SURVEY

aw\PBIA McCraney\2019 Airport Logistics Park\2019 Civil 3D Drawings\18-019 Sketch-Legal Drainage Easements.dwg, 12/3/2019 8:59:30 AM, F.R.S. & Associates, Inc., (561) 478-7178




SHEET 3 OF 3	JOB NUMBER 18-019	DATE 10/22/2019	FIELD NOTES N/A	DRAWN BY T. CALVERT	CHECKED BY G. WILLIAMS	DATE 11/26/19	BY	DATE	REVISIONS	TCM	11/26/19	ADDRESSED COUNTY MARKUPS	SKETCH AND LEGAL DESCRIPTION OF WALLIS ROAD DRY DETENTION AREA FOR SMILEY & ASSOCIATES, INC.		F.R.S. & ASSOCIATES, INC. LAND SURVEYORS AND LAND PLANNERS CERTIFICATE OF AUTHORIZATION NO. LB 4241 2257 VISTA PARKWAY, SUITE 4 WEST PALM BEACH, FLORIDA 33411 PHONE (561) 478-7178 FAX (561) 478-7922 Web Site: www.frssurvey.com

Exhibit “B”
(the “Drainage Culvert Easement Premises”)

EXHIBIT "B"

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON REFER TO SOUTH 01°22'23" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST (STATE PLANE NAD 83/90). ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. THERE HAS BEEN A REVIEW OF THE TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NUMBER 7374542, DATED AUGUST 21, 2019 @ 8:00 AM, ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE; IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS SURVEY.
3. THIS IS NOT A BOUNDARY SURVEY
4. THIS DESCRIPTION IS NOT VALID UNLESS ACCOMPANIED BY THE SKETCH ON SHEET 3 AND SHEET 4.
5. COORDINATES SHOWN HEREON ARE GRID.
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = U.S. SURVEY FOOT
COORDINATE SYSTEM: 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND (UNLESS OTHERWISE NOTED)
PROJECT SCALE = 1.000035827
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

LAND SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT THE SKETCH SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE ACCOMPANYING DESCRIPTION AND COMPLIES WITH THE TECHNICAL STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C. BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE.

F.R.S. AND ASSOCIATES, INC.

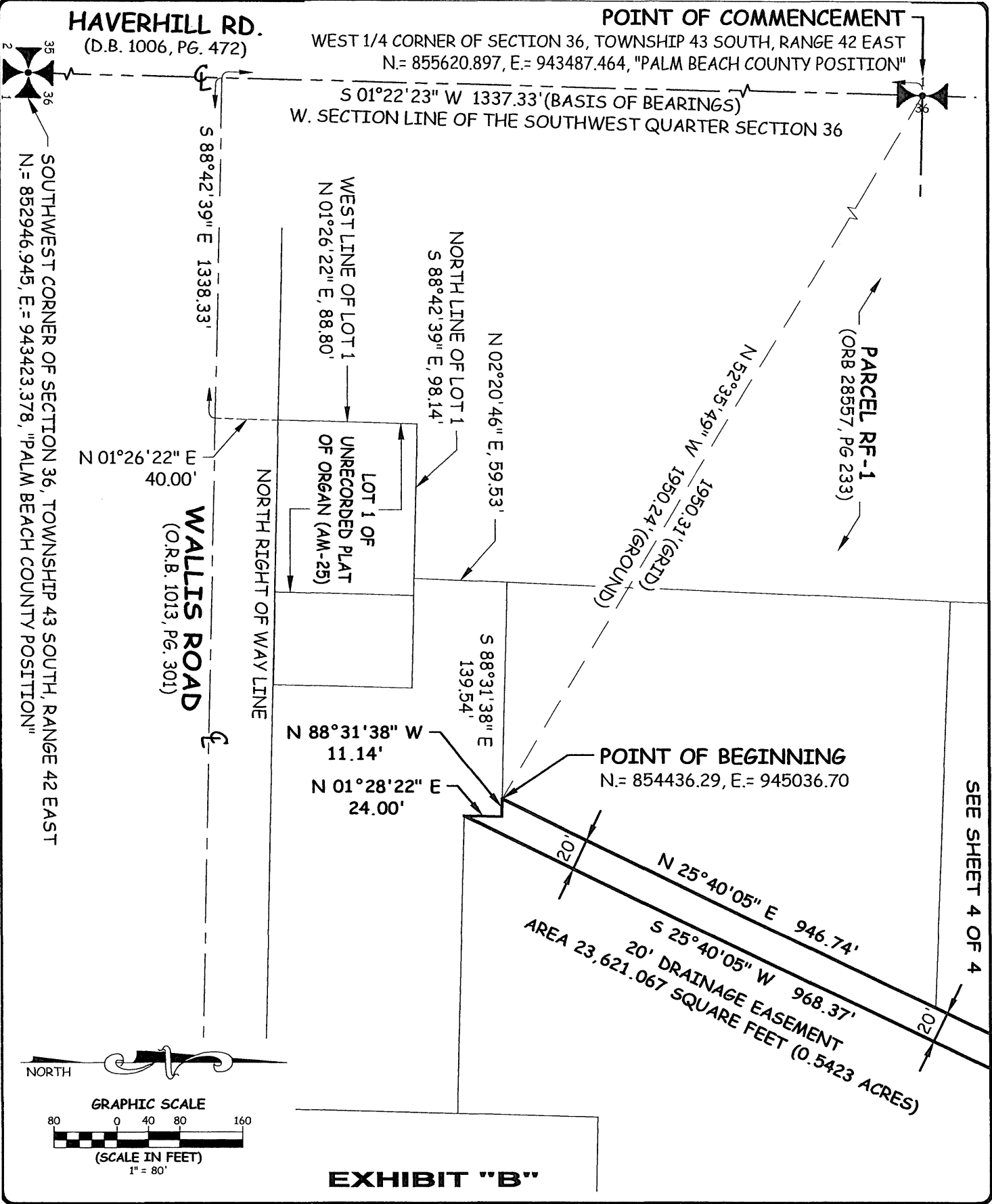
Gary Williams Digitally signed by Gary Williams
Date: 2019.12.03 09:02:40 -05'00'

BY: _____

GARY P. WILLIAMS, P.S.M.
FLORIDA CERTIFICATION No. 4817
FOR THE FIRM

THIS IS NOT A BOUNDARY SURVEY

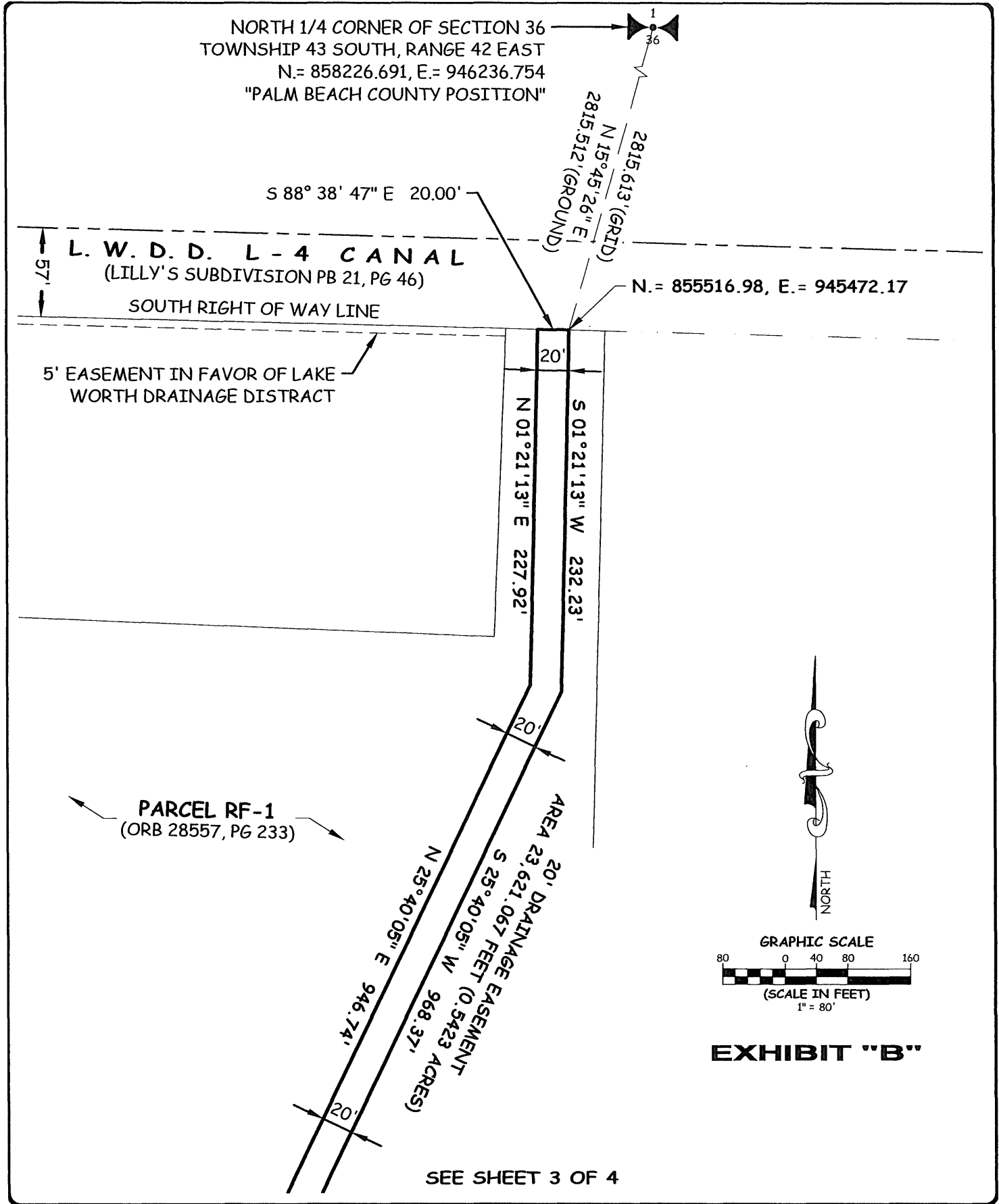
SHEET 2 OF 4	JOB NUMBER 18-019	DATE 11/27/2019	FIRM F.R.S. & ASSOCIATES, INC.	DRAWN BY T. C. WILKINSON	CHECKED BY G. P. WILLIAMS	DATE 12/02/19	ADDRESS	COUNTY	MARKUPS	BY	DATE	REVISIONS	SKETCH AND LEGAL DESCRIPTION OF AIRPORT LOGISTICS PARK 20' DRAINAGE EASEMENT FOR SMILEY & ASSOCIATES, INC.		F.R.S. & ASSOCIATES, INC. LAND SURVEYORS AND LAND PLANNERS CERTIFICATE OF AUTHORIZATION NO. LB 4241 2257 VISTA PARKWAY, SUITE 4 WEST PALM BEACH, FLORIDA 33411 PHONE (561) 478-7178 FAX (561) 478-7922 Web Site: www.frssurvey.com



JOB NUMBER 18-019	SHEET 3 OF 4	T.C. WILLIAMS G.P. WILLIAMS SCALE N/A 11/27/2019 FIELD BOOKS	TCM 12/02/19 ADDRESSED COUNTY MARKUPS	
			BY: DATE REVISIONS	

**SKETCH AND LEGAL DESCRIPTION
OF AIRPORT LOGISTICS PARK
20' DRAINAGE EASEMENT FOR
SMILEY & ASSOCIATES, INC.**

F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
CERTIFICATE OF AUTHORIZATION NO. LB 4241
2257 VISTA PARKWAY, SUITE 4
WEST PALM BEACH, FLORIDA 33411
PHONE (561) 478-7178 FAX (561) 478-7922
Web Site: www.frssurvey.com



SHEET 4 OF 4	JOB NUMBER 18-019	DATE 11/27/2019	DRAWN BY T. COLLIN	CHECKED BY G. WILLIAMS	SCALE N/A	T.C.M. 12/02/19	ADDRESS	COUNTY	MARKUPS	BY	DATE	REVISIONS	SKETCH AND LEGAL DESCRIPTION OF AIRPORT LOGISTICS PARK 20' DRAINAGE EASEMENT FOR SMILEY & ASSOCIATES, INC.		F.R.S. & ASSOCIATES, INC. LAND SURVEYORS AND LAND PLANNERS CERTIFICATE OF AUTHORIZATION NO. LB 4241 2257 VISTA PARKWAY, SUITE 4 WEST PALM BEACH, FLORIDA 33411 PHONE (561) 478-7178 FAX (561) 478-7922 Web Site: www.frssurvey.com

Prepared by and return to:
Ray Walter, Deputy Director
Palm Beach County Dept of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406

PCN 00-42-43-36-17-000-0010

DECLARATION OF SIDEWALK EASEMENT

THIS IS A DECLARATION OF SIDEWALK EASEMENT, made this _____
by PALM BEACH COUNTY, a political subdivision of the State of Florida (“County”) whose address is c/o
Palm Beach County Department of Airports, 846 Palm Beach International Airport, West Palm Beach, Florida,
33406.

WHEREAS, County is the owner and operator of Palm Beach International Airport located in Palm
Beach County, Florida (the “Airport”); and

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

WHEREAS, as a part of the improvements to Wallis Road, County will construct a public pedestrian
sidewalk and related improvements (the “Sidewalk Improvements”) on that portion of the Airport property
legally described in Exhibit “A”, attached hereto and by this reference made a part hereof (hereinafter the
“Easement Premises”); and

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

WITNESSETH:

NOW, THEREFORE, County does hereby declare, grant and create a perpetual in gross sidewalk
easement for the benefit of County to construct, maintain, repair, replace, improve, expand, and inspect the
Sidewalk Improvements for the benefit of County upon the Easement Premises, and shall include the right at
any time to tie into drainage conveyance facilities and appurtenances constructed by County on County’s
property adjacent thereto, with the full right to ingress thereto and egress therefrom in, on, over, under and
across the Easement Premises.

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

This easement shall be for the purpose of a public pedestrian sidewalk for ingress, egress and access
to and from the public streets and roadways contiguous thereto. The public shall have the right of ingress and
egress over and across the Sidewalk Improvements as is reasonably necessary to exercise the rights granted
herein; however, this Declaration is not intended and shall not be construed as a dedication to the public of any
portion of the Easement Premises for public use, except as herein provided.

Use of the Easement Premises, including the height of any equipment or facilities, shall comply with
14 CFR Part 77, as now or hereafter amended. No use of the Easement Premises shall be conducted in a manner
which would interfere with the landing at or taking off from the Airport; interfere with air navigation and/or
communication facilities serving the Airport; or otherwise would constitute an airport hazard, including, but
not limited to, wildlife hazards as provided in FAA Advisory Circular No. 150/5200-33, Hazardous Wildlife
Attractants on or Near Airports, as now or hereafter amended.

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

ATTEST:

SHARON R. BOCK

PALM BEACH COUNTY, a political
subdivision of the State of Florida by its
Board of County Commissioners

By: _____
Clerk & Comptroller

By: _____
Dave Kerner, Mayor

(SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
Assistant County Attorney

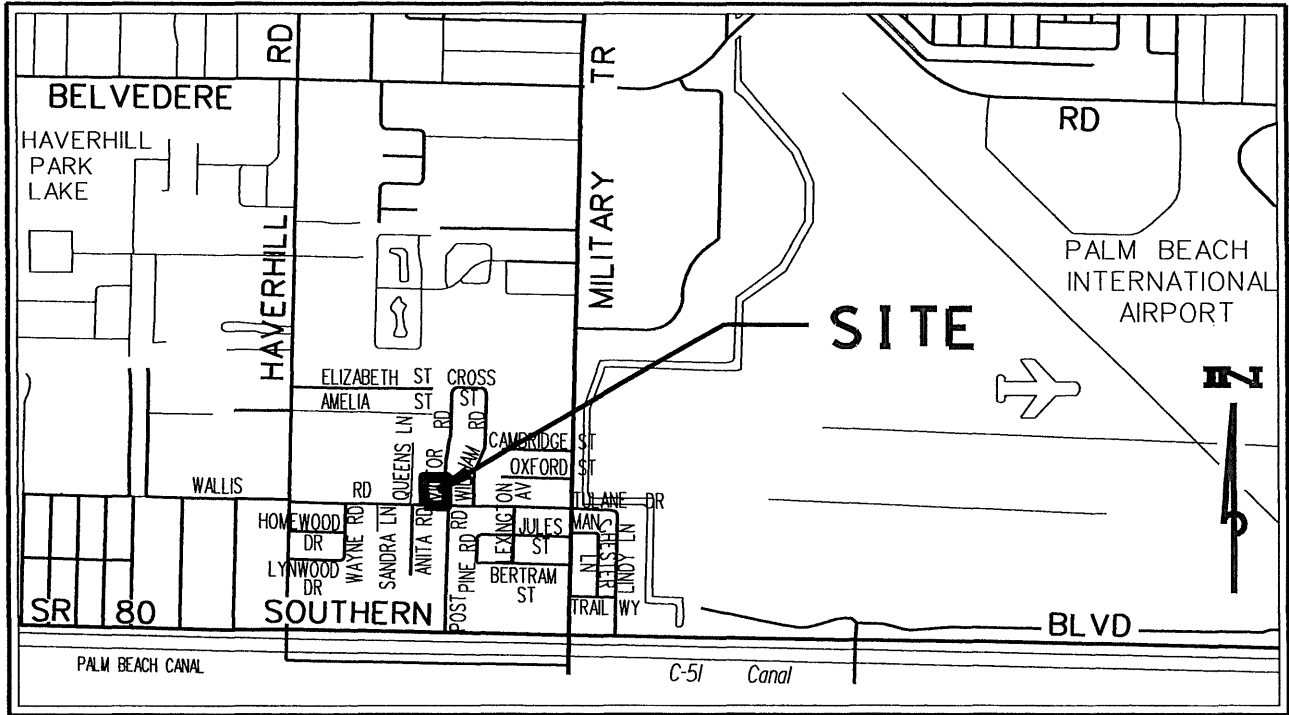
By:  _____
Department Director

**Exhibit “A”
(the “Easement Premises”)**

EXHIBIT "A"

PBIA LOGISTICS PARK
WALLIS ROAD RIGHT-OF-WAY
(TAYLOR PROPERTY W-41)

SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST



LOCATION MAP


N.T.S.

LEGAL DESCRIPTION

A PARCEL OF LAND 7.00 FEET IN WIDTH FOR ROAD RIGHT-OF-WAY PURPOSES BEING A PORTION OF THE LANDS OWNED BY PALM BEACH COUNTY KNOWN AS PARCEL W-41. RECORDED IN OFFICIAL RECORD BOOK 28415, PAGE 460, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 7.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THE NORTH 95.8 FEET OF THE SOUTH 128.8 FEET, LESS THE EAST 559.36 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. ALSO KNOWN AS LOT 1, UNRECORDED PLAT OF ORGAN'S SUBDIVISION, PER ASSESSORS MAP NO. 25.

PROJECT NO. 2020013-05	SHEET 1 OF 3	PROJECT: PBIA LOGISTICS PARK WALLIS ROAD RIGHT-OF-WAY (TAYLOR PROPERTY W-41)		DATE 12-02-2019	SCALE 1" = 40'	APPROVED G.W.M.	DRAWN S.T.A.	CHECKED G.W.M.	FIELD BOOK NO.	NO.	REVISION	BY	DATE		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ROADWAY PRODUCTION 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
		DESIGN FILE NAME S-1-19-4023.DGN	DRAWING NO. S-1-19-4023												

LEGEND

FDOT = FLORIDA DEPARTMENT OF TRASNSPORTATION
PBIA = PALM BEACH INTERNATIONAL AIRPORT
LWDD = LAKE WORTH DRAINAGE DISTRICT
FPL = FLORIDA POWER AND LIGHT
ORB = OFFICIAL RECORD BOOK
DE = DRAINAGE EASEMENT
UE = UTILITY EASEMENT
R/W = RIGHT OF WAY
DB = DEED BOOK
PB = PLAT BOOK
RB = ROAD BOOK
PG = PAGE
R = RADIUS
Δ = CENTRAL ANGLE
L = ARC LENGTH
(D) = DEED
(M) = MEASURED
(C) = CALCULATED
CL = CENTERLINE

SURVEYOR'S REPORT

THE PROPERTY CONTAINS 768 SQUARE FEET OR 0.0176 ACRES MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990) BEARING OF SOUTH 01°30'22" WEST ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST AS SHOWN ON THIS SURVEY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.000036758
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS INSTRUMENT PREPARED BY SCOTT T. ADAMS SR. & GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

NOT VALID WITHOUT THE DIGITAL SIGNATURE AND/OR ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



Digitally signed by Glenn W Mark
DN: c=US, o=PALM BEACH COUNTY, ou=PALM BEACH COUNTY,
cn=Glenn W Mark,
0.9.2342.19200300.100.1.1=A01098000000163AC129A3C00004
57F
Date: 2019.12.03 14:59:12 -05'00'

GLENN W. MARK PLS
FLORIDA CERTIFICATE NO. 5304

DATE

