

AGENDA ITEM SUMMARY

Department: Engineering and Public Works
Submitted By: Engineering and Public Works
Submitted For: Land Development Division

Motion and Title: Staff recommends motion to:

- SUMMARY:** Approval of the utility easement will allow existing FPL facilities to remain and adoption of the Resolution will eliminate the public dedications and allow the County to vacate its interests in the Abandonment Sites. The Abandonment Sites are located 600 feet north of Southern Boulevard and west of North Cleary Road. All reviewing agencies and utility service providers have approved this abandonment. The Engineering Department has determined that the Abandonment Sites are surplus and serve no present or future public purpose. District 2 (YBH)

Privilege Fee Statement: In accordance with County Code Chapter 22, Article III, Road Abandonment and Plat Vacation, Ordinance No. 2002-034, applications sponsored by the County Engineer are exempt from a privilege fee. The Engineering Department advertised this public hearing on Sunday, November 1, 2020.

1. Location Sketch
2. FPL Utility Easement with Exhibit 'A'
3. Resolution with Exhibits 'A' - 'C'

F:\LAND_DEV\Board Actions\bdaction-abandonments\2020\11-17-2020\AB53285 Wallis Road ROW (County-initiated)\AB53285 Wallis Road ROW -AIS.docx

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
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 X

Budget Account No:

Fund Dept Unit Object

Recommended Sources of Funds/Summary of Fiscal Impact:

**This item has no fiscal impact. The abandonment sites are not subject to privilege fees as easements are exempt.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

[Signature] 10/15 OFMB 8/10/15
[Signature] 10-8-20 TW Contract Dev. and Control 10/13/2020

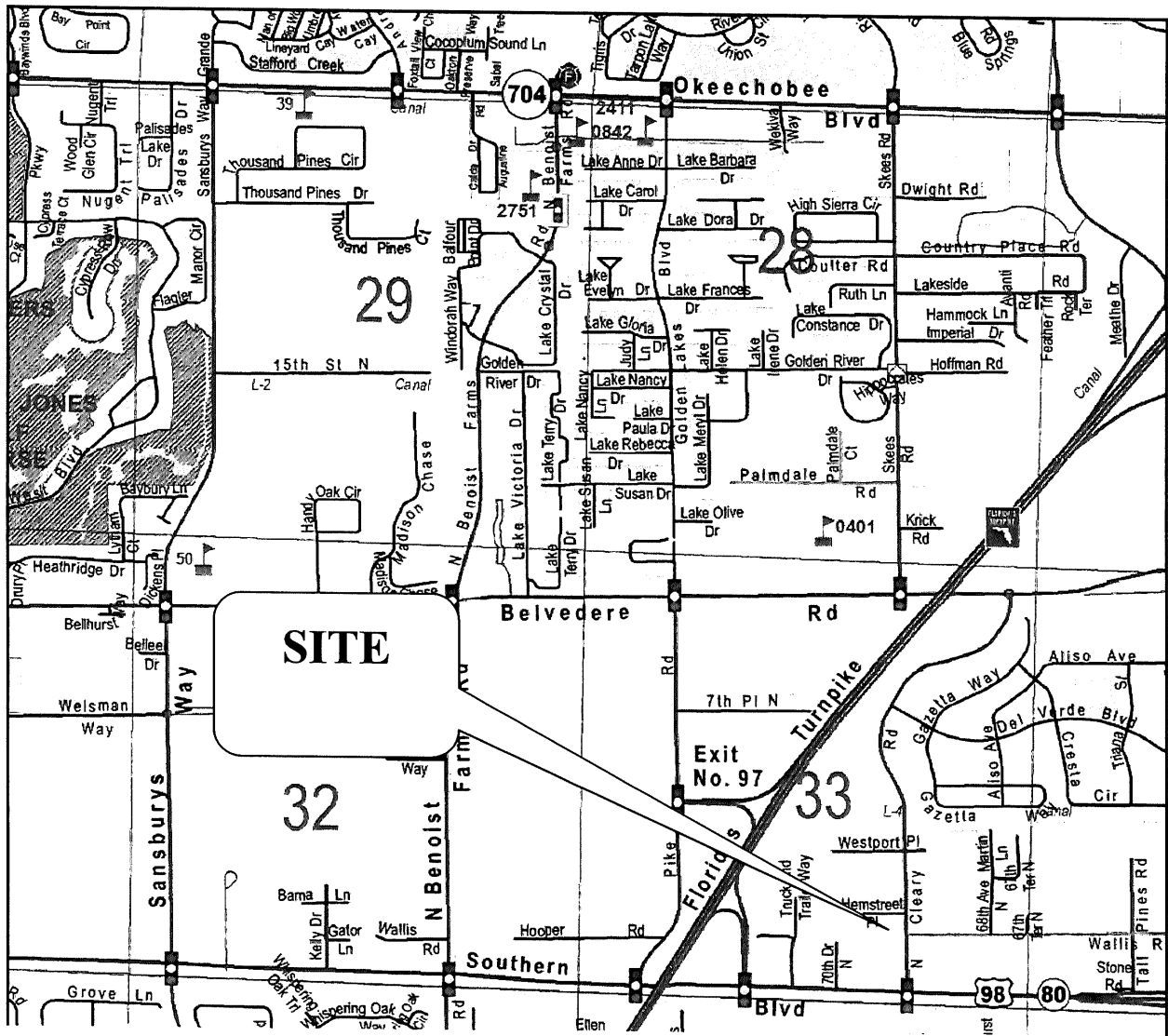
B. Approved as to Form and Legal Sufficiency:

[Signature] 10/13/2020
Assistant County Attorney

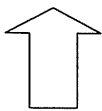
C. Other Department Review:

Department Director

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



LOCATION SKETCH



N (Not to scale)

THE 15-FOOT WIDE ADDITIONAL RIGHT-OF-WAY (ROW) DEDICATION AS SHOWN ON THE PLAT OF HEMSTREET PARK, AS RECORDED IN PLAT BOOK 42, PAGE 104; AND IN A PORTION OF THAT ROW DEEDED BY OFFICIAL RECORDS BOOK 7619, PAGE 367, ALSO BEING A PORTION OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY

Return to:
Land Development Division
2300 N Jog Rd, 3W-13
West Palm Beach FL 33411-2745

Grantee's Address:
Florida Power & Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

EASEMENT

KNOW ALL MEN BY THESE PRESENTS that PALM BEACH COUNTY, FLORIDA, a political subdivision of the State of Florida, whose address is 301 N Olive West Palm Beach, 33401-4700 ("Grantor") in considerations, receipt of which is hereby acknowledged, does hereby grant to the **Florida Power & Light Company, a Florida corporation, whose address is P.O. Box 14000, Juno Beach, Florida 33408-0420**, and to its affiliates, licensees, agents, successors and assigns ("**Grantee**") (the term "assigns" meaning any person, firm or corporation owning by way of assignment all rights under the Agreement or a portion of such rights with Grantee or its other assigns retaining and exercising the other rights), an easement forever **for a right-of-way, as shown on the attached Exhibit A ("Easement Area")**, to be used for the construction, operation and maintenance of one or more overhead and underground electric transmission and distribution lines, including but not limited to, wires, poles, "H" frame structures, towers, cables, conduits, anchors, guys, roads, trails and equipment associated therewith, attachments and appurtenant equipment for communication purposes and one or more pipelines, and appurtenant equipment for the transmission of substances of any kind (all of the foregoing hereinafter referred to as "**facilities**"), over, under, in, on, upon and across the lands of the Grantor situated in the County of Palm Beach and the State of Florida and being more particularly described on **Exhibit A** attached hereto and made a part hereof ("**Easement Area**"); together with the right and privilege from time to time to reconstruct, inspect, alter, improve, enlarge, add to, change the voltage, as well as the nature or physical characteristics of, replace, remove or relocate such facilities or any part of them upon, across, over or under the Easement Area with all rights and privileges necessary or convenient for the full enjoyment or the use thereof for the herein described purposes, including, but not limited to, the right to cut and keep clear all trees and undergrowth and other obstructions within the Easement Area that may interfere with the proper construction, operation and maintenance of such facilities or any part of them, the right to mark the location of any underground facilities by above ground and other suitable markers and the right of ingress and egress for personnel and equipment of Grantee, its contractors, agents, successors or assigns over the Easement Area, for the purpose of exercising and enjoying the rights granted by this easement and any or all of the rights granted hereunder.

Further, Grantor hereby grants to Grantee, its contractors, subcontractors and other authorized representatives, a perpetual access easement in, on, over and across the Easement Area for ingress and egress purposes, including the right to enter upon, cross and/or exit the Easement Area on foot or with motorized construction and other type vehicles and trucks carrying construction equipment, materials and personnel, in order to access Grantee's facilities situated on the property located adjacent to the Easement Area. This easement is granted with all rights necessary and convenient for the full use and enjoyment of the Easement Area for the

purposes described herein including without limitation (i) the right to use any existing roads on the Easement Area, (ii) the right, but not the obligation, of Grantee to use, improve, maintain or construct a road on the Easement Area necessary for Grantee to access Grantee's facilities situated on the property located adjacent to the Easement Area, and (iii) Grantee's right to keep any road on the Easement Area clear of brush, trees, obstructions as may be necessary or desirable for Grantee's use.

Grantor, however, reserves the right and privilege to use the Easement Area for such other purposes except as herein granted or as might interfere or be inconsistent with the use, occupation, maintenance or enjoyment thereof by Grantee or its successors or assigns, or as might cause a hazardous condition; provided, however, and by the execution and delivery hereof Grantor so expressly agrees that no portion of the Easement Area shall be excavated, altered, obstructed, improved, surfaced or paved without the prior written permission of Grantee, or its successors or assigns, and no building, well, irrigation system, structure, obstruction or improvement (including any improvements for recreational activities) shall be located, constructed, maintained or operated over, under, upon or across the Easement Area by Grantor, or the heirs, personal representatives, successors or assigns of Grantor without the prior written permission of Grantee, or its successors or assigns.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

By the execution hereof, Grantor covenants that it has the right to convey this easement. Grantee and its successors and assigns shall have quiet and peaceful possession, use and enjoyment of this easement and the rights granted hereby.

IN WITNESS WHEREOF, Grantor has executed this Easement this _____ day of _____, 2020.

ATTEST:
SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Yelizaveta B. Herman,
Assistant County Attorney

By: _____
Department Director



DESCRIPTION:

BEING A PORTION OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2 PAGES 45 THROUGH 54 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3; THENCE ALONG THE NORTH LINE OF SAID TRACT 37, BLOCK 6, SOUTH 89°03'55" WEST, A DISTANCE OF 15.00 FEET TO A POINT ON A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 37; THENCE SOUTH 00°56'05" EAST, A DISTANCE OF 8.16 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID PARALLEL LINE, S00°56'05" E, A DISTANCE OF 10.04 FEET; THENCE DEPARTING SAID PARALLEL LINE, N85°47'06"W, A DISTANCE OF 12.93 FEET; THENCE N04°12'54"E, A DISTANCE OF 10.00 FEET; THENCE S85°47'06"E, A DISTANCE OF 12.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 125 SQUARE FEET OR 0.0029 ACRES, MORE OR LESS.

NOTE: BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE GRID, FLORIDA EAST ZONE, THE LINE FORMED BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL MONUMENTS STAMPED "PBF 8" AND "PBF 14" HAVING A GRID BEARING OF NORTH 00°57'14" WEST, WITH ALL BEARINGS SHOWN HEREON BEING RELATIVE THERETO.


NOTES:
COORDINATES SHOWN ARE GRID COORDINATES
DATUM = NAD 83 (1990 ADJUSTMENT).
ZONE = FLORIDA EAST ZONE
LINEAR UNIT = U.S. SURVEY FEET
COORDINATE SYSTEM = 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND (UNLESS OTHERWISE NOTED).
SCALE FACTOR = 1.000028

Perry
White

Digitally signed by Perry White
DN: c=US, st=Florida, l=Lake Worth, o=Sand & Hills Surveying, Inc., cn=Perry White, email=white@sand-hills.com
Date: 2020.07.07 11:31:00 -04'00'

CERTIFICATION:

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION AS SHOWN HEREON, MEETS THOSE STANDARDS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, FLORIDA STATUTES. THIS SKETCH AND DESCRIPTION OR COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA SURVEYOR AND MAPPER.


DATE: 07/01/20
PERRY C. WHITE
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 4213
REV: 7/07/20

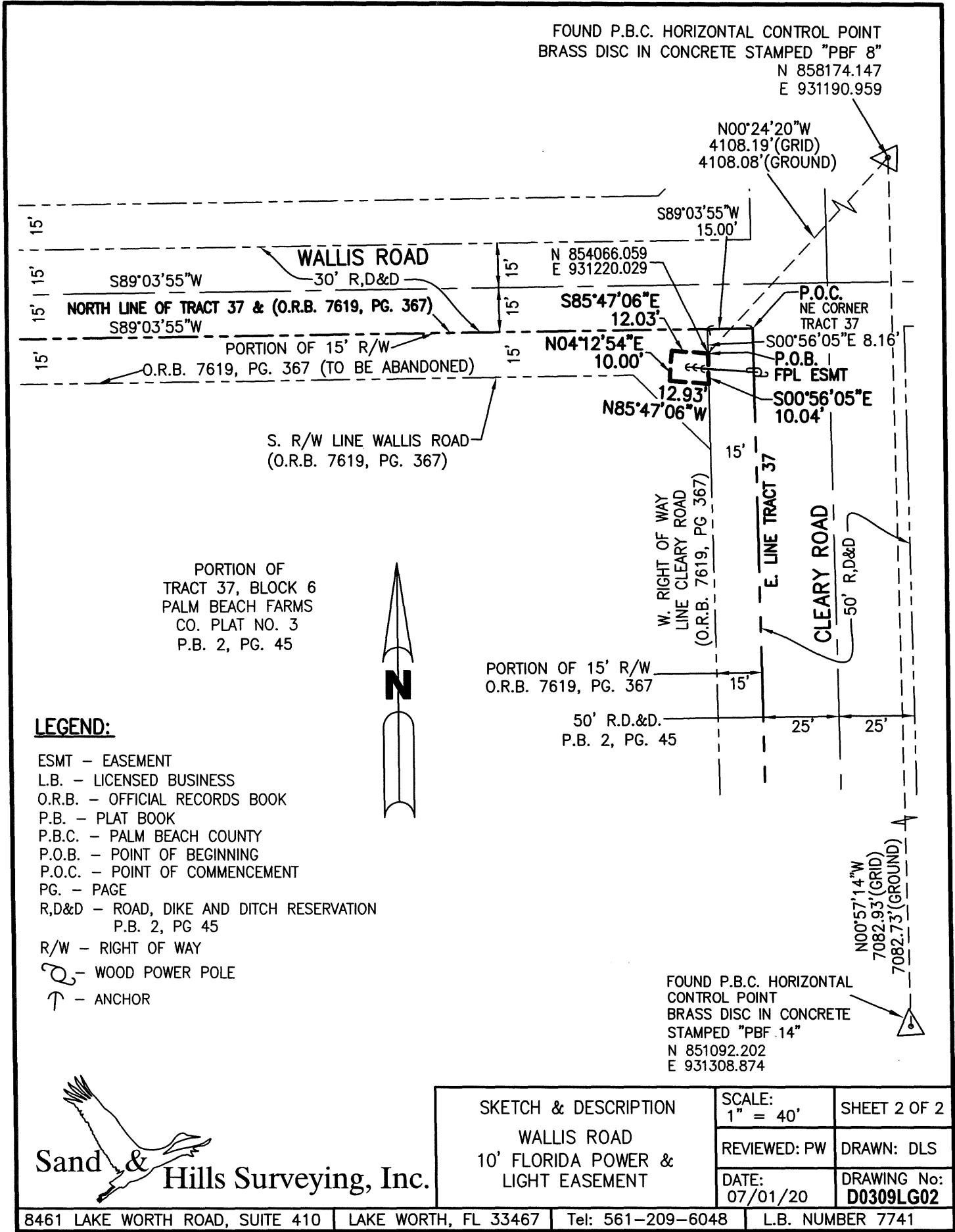
NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

SKETCH & DESCRIPTION WALLIS ROAD 10' FLORIDA POWER & LIGHT EASEMENT	SCALE: NONE	SHEET 1 OF 2
	REVIEWED: PW	DRAWN: DLS
	DATE: 07/01/20	DRAWING No: D0309LG02

8461 LAKE WORTH ROAD, SUITE 410 | LAKE WORTH, FL 33467 | Tel: 561-209-6048 | L.B. NUMBER 7741

EXHIBIT A



RESOLUTION NO. R2020-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ANY PUBLIC INTEREST IN A PORTION OF THE 15-FOOT WIDE ADDITIONAL RIGHT-OF-WAY (ROW) DEDICATION AS SHOWN ON THE PLAT OF HEMSTREET PARK, AS RECORDED IN PLAT BOOK 42, PAGE 104; AND IN A PORTION OF THAT ROW DEEDED BY OFFICIAL RECORDS BOOK 7619, PAGE 367, ALSO BEING A PORTION OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2 PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY.

WHEREAS, the Board of County Commissioners (BCC) of Palm Beach County, Florida, pursuant to authority in Sections 336.09 and 177.101, Florida Statutes, and as provided in the Palm Beach County (County) Code Chapter 22, Article III, Road Abandonment and Plat Vacation Ordinance (Ordinance), and the petition of the County Engineer, called a public hearing to be held in the County Commissioners' Chambers, at the Robert Weisman Governmental Office Complex, 301 North Olive Avenue, West Palm Beach, Florida, on November 17, 2020, to consider and determine whether Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the County and the public in a portion of the 15-foot wide additional ROW dedication as shown on the plat of Hemstreet Park, as recorded in Plat Book 42, Page 104; and in a portion of that ROW deeded by Official Records Book 7619, page 367, also being a portion of Tract 37, Block 6, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2 Pages 45 through 54, as shown in **Exhibit A** and **Exhibit B**; and

WHEREAS, in accordance with the Ordinance, notice of the holding of such meeting was duly published in the Palm Beach Post on November 1, 2020; and

WHEREAS, this petition complies with the terms and conditions of the abandonment process as set forth in the Ordinance; and

WHEREAS, the BCC has approved a utility easement for Florida Power & Light Company (FPL) over a portion of the areas being abandoned as shown in **Exhibit C**; and

RESOLUTION NO. R2020-_____

WHEREAS, the BCC held said hearing as advertised and determined that such action will not materially interfere with the County road system and will not deprive any person of a reasonable means of ingress and egress from at least one County, State or Federal highway.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby reaffirmed and ratified.
2. The BCC has approved a utility easement for FPL over a portion of the areas being abandoned as shown in **Exhibit C**.
3. The ROWs are hereby abandoned and closed and the BCC does hereby renounce and disclaim any right or interest of the County and the public in and to the ROWs, more fully described in the legal descriptions and sketches as shown in **Exhibit A** and **Exhibit B** attached hereto and made a part hereof.
4. Notice of the adoption of this Resolution shall be published one time in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10, Florida Statutes and the Ordinance.

(Remainder of page left intentionally blank)

RESOLUTION NO. R2020-_____

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

District 1: Commissioner

District 2: Commissioner Gregg K. Weiss

District 3: Commissioner

District 4: Commissioner Robert S. Weinroth

District 5: Commissioner

District 6: Commissioner Melissa McKinlay

District 7: Commissioner

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2020.

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

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: /s/ Yelizaveta B. Herman
Yelizaveta B. Herman,
Assistant County Attorney

NOT VALID WITHOUT SHEETS 2, 3, 4, 5 & 6

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE 15 FOOT WIDE ADDITIONAL RIGHT-OF-WAY DEDICATION AS SHOWN ON THE PLAT OF HEMSTREET PARK, AS RECORDED IN PLAT BOOK 42, PAGE 104, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCING AT THE SOUTHEAST CORNER OF SAID PLAT; THENCE ALONG THE SOUTHERLY LINE OF SAID PLAT S89°03'55"W A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE ALONG SAID SOUTHERLY LINE S89°03'55"W A DISTANCE OF 625.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE N00°58'05"W A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID 15 FOOT WIDE ADDITIONAL RIGHT-OF-WAY LINE; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING TWO CALLS, N89°03'55"E A DISTANCE OF 599.98 FEET; THENCE N44°02'55"E A DISTANCE OF 35.37 FEET TO A POINT ON THE WESTERLY LINE OF A 5 FOOT WIDE ADDITIONAL RIGHT-OF-WAY AS SHOWN ON SAID PLAT; THENCE ALONG SAID WESTERLY LINE S00°58'05"E A DISTANCE OF 40.02 TO THE POINT OF BEGINNING.

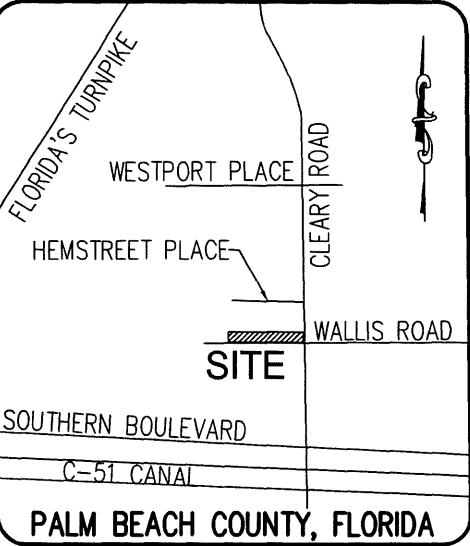
SAID PARCEL CONTAINING 9688 SQUARE FEET OR 0.222 ACRES, MORE OR LESS.

Digitally signed
by Jennifer Malin
Date: 2019.11.07
13:55:04 -05'00'

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

FOR: BOUNDARY SURVEY RIGHT-OF-WAY ABANDONMENT WALLIS ROAD		
SCALE: N/A	 1280 CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409 PH (561)655-1151 • FAX (561)832-9390 WWW.ENGENUITYGROUP.COM	SHEET: 1 / 6
DRAWN BY: JCM		JOB No. 18070.01
CHECKED BY: CAR		
DATE: 11-7-2019		

NOT VALID WITHOUT SHEETS 1, 3, 4, 5 & 6



LEGEND	
PB	PLAT BOOK
ORB	OFFICIAL RECORD BOOK
PG	PAGE
LAE	LIMITED ACCESS EASEMENT
UE	UTILITY EASEMENT
LE	LANDSCAPE EASEMENT
R/W	RIGHT-OF-WAY
QCD	QUIT CLAIM DEED
LB	LICENSED BUSINESS
IRC	IRON ROD & CAP
CLF	CHAIN LINK FENCE
ADD.	ADDITIONAL
	WATER METER
	FIRE HYDRANT
	CENTERLINE
	SET 5/8" IRON ROD & CAP LB 6603
	SANITARY MANHOLE
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
	CHAIN LINK FENCE

SURVEYOR'S NOTES

1. THE SURVEY DEPICTED HEREON IS CLASSIFIED AS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND THE PALM BEACH COUNTY STATE PLANE COORDINATES REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY'S PPM CW-0-058.
2. ALL EASEMENTS ARE RECORDED IN THE PLAT OF HEMSTREET PARK AS RECORDED IN PLAT BOOK 42, PAGE 104, PUBLIC RECORDS OF PALM BEACH COUNTY, UNLESS OTHERWISE NOTED.
3. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.
4. THE BEARINGS SHOWN HEREON ARE BASED ON A GRID BEARING OF N88°14'12"W ALONG A LINE BETWEEN PALM BEACH COUNTY CONTROL MONUMENT "SOUTHERN" AND PALM BEACH COUNTY CONTROL MONUMENT "PBF 13", AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
5. ENGENUITY GROUP, INC. AND THE CERTIFYING SURVEYOR ACCEPT NO RESPONSIBILITY FOR RIGHT-OF-WAYS, EASEMENTS RESTRICTIONS OR OTHER MATTERS AFFECTING TITLE TO THE LANDS SURVEYED OTHER THAN THOSE RECITED IN THE CURRENT DEED AND/OR OTHER INSTRUMENT OF RECORD FURNISHED BY THE CLIENT.
6. LAST DATE OF FIELD SURVEY: AUGUST 27, 2019.
7. ALL DISTANCES SHOWN HEREON ARE IN U.S. FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.
8. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/1,200 (1"=100') OR SMALLER.

FOR: BOUNDARY SURVEY		
RIGHT-OF-WAY ABANDONMENT WALLIS ROAD		
SCALE: N/A	 1280 CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409 PH (561)655-1151 • FAX (561)832-9390 WWW.ENGENUITYGROUP.COM	SHEET: 2 / 6
DRAWN BY: JCM		JOB No.
CHECKED BY: CAR		18070.01
DATE: 11-7-2019		

SURVEYOR'S NOTES CONTINUED

10. ACCURACY STATEMENT: FIELD SURVEY WAS PERFORMED IN ACCORDANCE WITH CHAPTER 5J-17, FLORIDA ADMIN. CODE PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES FOR TOPOGRAPHIC SURVEYS. THE ACCURACY OF CONTROL DATA WAS VERIFIED BY REDUNDANT MEASUREMENTS OF TRAVERSE CLOSURES AND EXCEEDS COMMERCIAL/HIGH RISK: LINEAR: 1 FOOT IN 10,000 FEET.

11. ALL DIMENSIONS SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.

12. THE FIBER OPTIC VAULT ENCROACHES 1.2 FEET INTO THE 15' ADDITIONAL RIGHT-OF-WAY AS SHOWN IN THE PLAT OF HEMSTREET PARK AS RECORDED IN PLAT BOOK 42, PAGE 104 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SEE DETAIL A ON SHEET 5.

13. COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID
DATUM = NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83-90)
ZONE = FLORIDA EAST ZONE
LINEAR UNITS = U.S. SURVEY FEET; ALL DISTANCES ARE GROUND
COORDINATE SYSTEM = 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
SCALE FACTOR: 1.0000277; GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
TO ROTATE FROM GRID BEARING TO PLAT BEARING, ROTATE CLOCKWISE 00°22'39"

14. THE PROPERTY IS VACANT WITH THE EXCEPTION OF THE ENCROACHMENT NOTED IN SURVEYOR'S NOTE NUMBER 12.

15. THE SUBJECT PROPERTY IS AFFECTED BY THE WEST PENINSULAR LAWSUIT AS RECORDED IN OFFICIAL RECORD BOOK 11687, PAGE 1584, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. *SEE PAGE 1594 OF SAID DOCUMENT FOR THE PORTION AFFECTING THE SUBJECT PROPERTY.

16. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT REPORT BY ATTORNEY'S TITLE FUND SERVICES, LLC UNDER FUND FILE NUMBER 741573 A1 WITH AN EFFECTIVE DATE OF AUGUST 16, 2019 AT 11:00 PM.


17. THE ROAD, DYKE AND DITCH RESERVATIONS ACCORDING TO THE PLAT OF PALM BEACH FARMS COMPANY PLAT 3 AND LYING WITHIN THE LANDS SHOWN HEREON, ARE INCLUDED IN THE COURT CASE CL-94-0011668-AE, GARY NIKOLITS VS WEST PENINSULAR TITLE COMPANY ET. AL THE RESULT OF THIS LAWSUIT WAS THAT ROAD, DYKE AND DITCH RESERVATIONS REVERT BACK IN OWNERSHIP TO THE ADJOINING LAND OWNER.

B-11 EXCEPTIONS FROM TITLE COMMITMENT REPORT

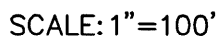
1. SUBJECT TO THE DEDICATION(S) OF THE ADDITIONAL RIGHTS-OF-WAY TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF HEMSTREET PARK, A PLANNED INDUSTRIAL PARK, BY FOLDING SHUTTER CORPORATION, A FLORIDA CORPORATION, RECORDED MAY 11, 1981 IN PLAT BOOK 42, PAGE 104, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **AFFECTS THE SUBJECT PROPERTY, SHOWN HEREON.**

2. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA RECORDED SEPTEMBER 17, 1925, UNDER DEED BOOK 299, PAGE 196, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATION HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S. **AFFECTS THE ENTIRE PARCEL, NOT PLOTTED.**

3. DECLARATION OF RESTRICTIONS RECORDED IN O.R. BOOK 3163, PAGE 434, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WHICH CONTAIN USE PROVISIONS. **AFFECTS THE ENTIRE PARCEL, NOT PLOTTED.**

FOR: BOUNDARY SURVEY		
RIGHT-OF-WAY ABANDONMENT WALLIS ROAD		
SCALE: N/A	 1280 CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409 PH (561)655-1151 • FAX (561)832-9390 WWW.ENGENUITYGROUP.COM	SHEET: 3 / 6
DRAWN BY: JCM		JOB No. 18070.01
CHECKED BY: CAR		
DATE: 11-7-2019		

NOT VALID WITHOUT SHEETS 1, 2, 3, 5 & 6



FOR:

BOUNDARY SURVEY
RIGHT-OF-WAY ABANDONMENT WALLIS ROAD

SCALE: 1"=100'

DRAWN BY: JCM

CHECKED BY: CAR

DATE: 11-7-2019



A Higher Standard of Excellence

A Higher Standard of Excellence

engenuity
group inc.

1280 CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409

PH (561)655-1151 • FAX (561)832-9390

WWW.ENGENUITYGROUP.COM

SHEET:

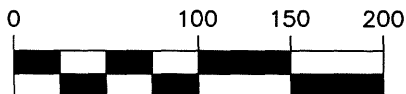
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JOB No.

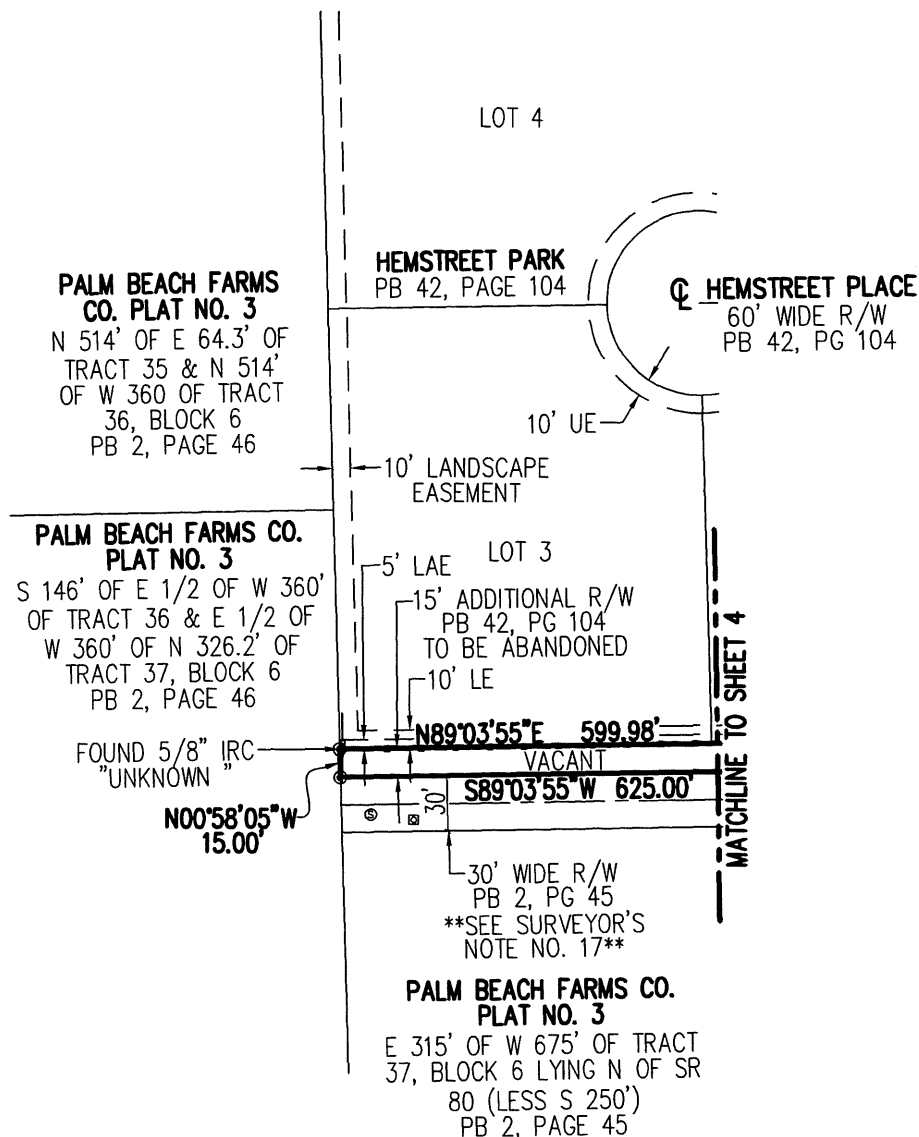
18070.01

NOT VALID WITHOUT SHEETS 1, 2, 3, 4 & 6

GRAPHIC SCALE



SCALE: 1"=100'

SECTION 33
TOWNSHIP 43 SOUTH
RANGE 42 EAST

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FOR:

BOUNDARY SURVEY
RIGHT-OF-WAY ABANDONMENT WALLIS ROAD

SCALE: 1"=100'

DRAWN BY: JCM

CHECKED BY: CAR

DATE: 11-7-2019



A Higher Standard of Excellence

engenuity
group inc.1280 CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390
WWW.ENGENUITYGROUP.COM

SHEET:

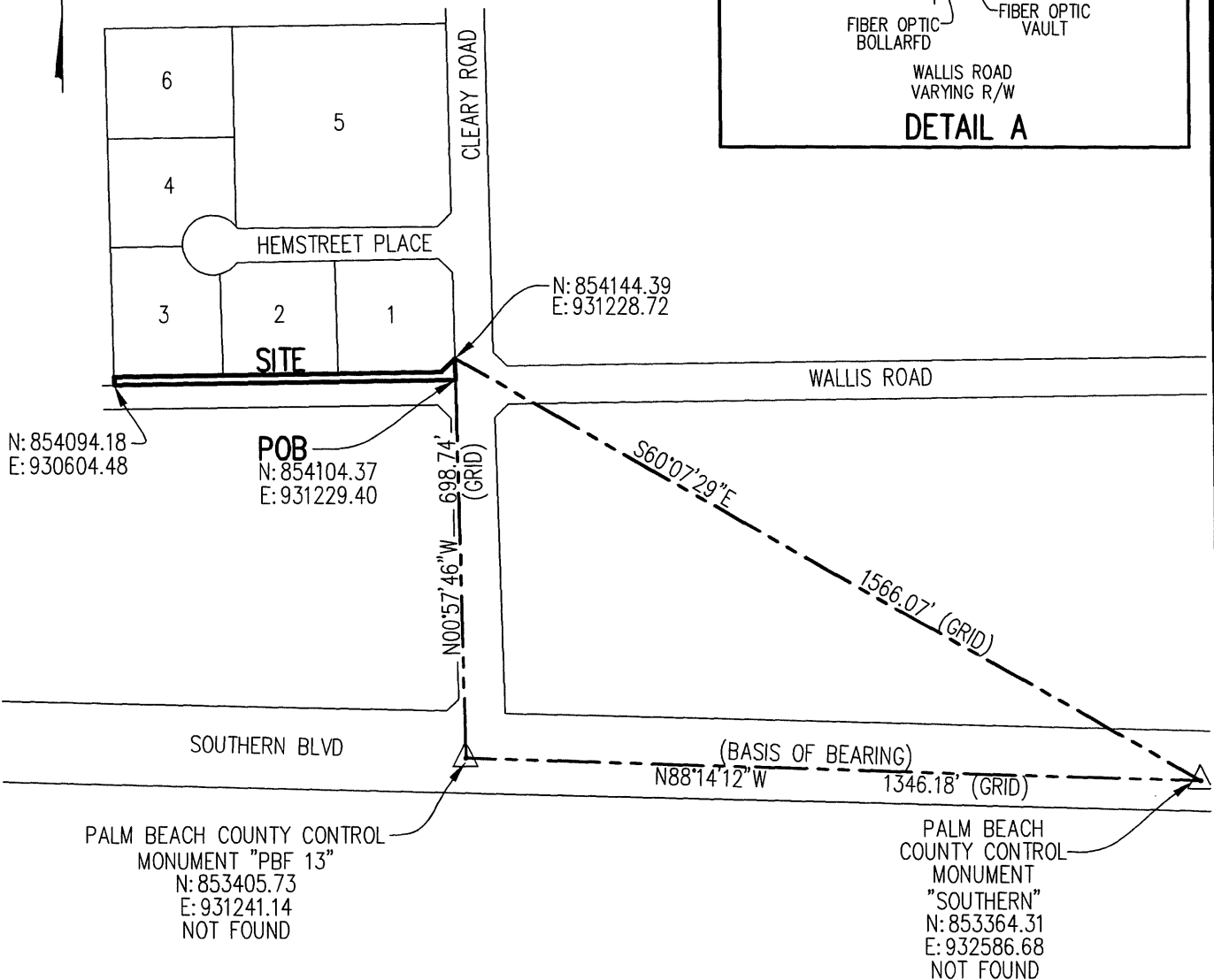
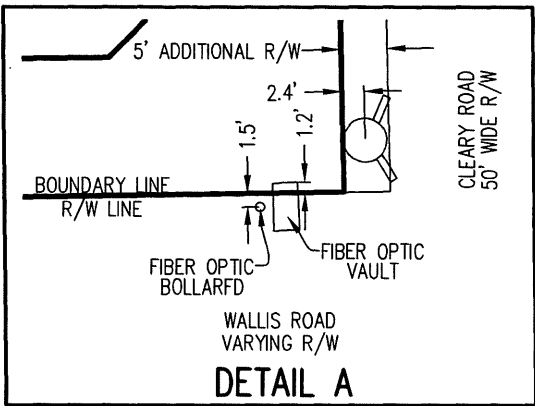
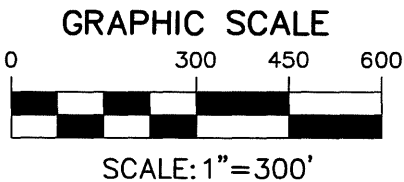
5 / 6

JOB No.

18070.01

NOT VALID WITHOUT SHEETS 1, 2, 3, 4 & 5

SECTION 33
TOWNSHIP 43 SOUTH
RANGE 42 EAST



NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FOR:

**BOUNDARY SURVEY
RIGHT-OF-WAY ABANDONMENT WALLIS ROAD**

SCALE: 1"=300'

DRAWN BY: JCM

CHECKED BY: CAR

DATE: 11-7-2019



A Higher Standard of Excellence
engenuity
group inc.

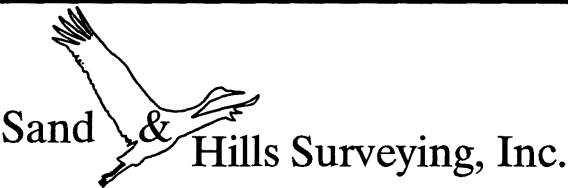
1280 CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390
WWW.ENGENUITYGROUP.COM

SHEET:

6 / 6

JOB No.

18070.01



DESCRIPTION:

BEING A PORTION OF THAT RIGHT-OF-WAY DEEDED BY OFFICIAL RECORDS BOOK 7619, PAGE 367, ALSO BEING A PORTION OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2 PAGES 45 THROUGH 54 INCLUSIVE, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3; THENCE ALONG THE NORTH LINE OF SAID TRACT 37, BLOCK 6, SOUTH 89°03'55" WEST, A DISTANCE OF 15.00 TO A POINT ON A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 37 AND THE POINT OF BEGINNING;
THENCE ALONG SAID PARALLEL LINE, S00°56'05" E, A DISTANCE OF 40.01 FEET; THENCE ALONG THE BOUNDARY OF SAID RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 7619, PAGE 367 FOR THE FOLLOWING FOUR (4) DESCRIBED COURSES, N45°56'05"W, A DISTANCE OF 35.36 FEET TO A POINT OF INTERSECTION WITH A LINE 15.00 FEET SOUTH OF AND PARALLEL WITH THE AFORESAID NORTH LINE OF TRACT 37; THENCE ALONG SAID PARALLEL LINE, S89°03'55"W, A DISTANCE OF 275.04 FEET; THENCE N00°56'05"W, A DISTANCE OF 15.00 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID NORTH LINE OF TRACT 37; THENCE ALONG SAID NORTH LINE, N89°03'55"E, A DISTANCE OF 300.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.1105 ACRES, MORE OR LESS.

SURVEYOR'S REPORT:

- 1. THIS SKETCH OF BOUNDARY SURVEY IS PREPARED FOR PALM BEACH COUNTY AND IS NOT ASSIGNABLE.
- 2. THIS SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER AND A DIGITAL SIGNATURE/SEAL.
- 3. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- 4. THIS SKETCH IS THE PROPERTY OF SAND & HILLS SURVEYING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF SAND & HILLS SURVEYING, INC.
- 5. THE SUBJECT PARCEL IS VACANT. VISIBLE IMPROVEMENTS ARE AS SHOWN. NO UNDERGROUND IMPROVEMENTS WERE LOCATED.
- 6. BOUNDARY DIMENSIONS SHOWN ARE PER DESCRIPTION AND FIELD MEASUREMENT UNLESS OTHERWISE NOTED.
- 7. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE GRID, FLORIDA EAST ZONE, THE LINE FORMED BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL MONUMENTS STAMPED "PBF 8" AND "PBF 14" HAVING A GRID BEARING OF NORTH 00°57'14" WEST, WITH ALL BEARINGS SHOWN HEREON BEING RELATIVE THERETO.

(REPORT CONTINUED ON SHEET 2 OF 4)

Perry
White

Digitally signed by Perry White
DN: c=US, st=Florida, l=Lake
Worth, o=Sand & Hills
Surveying, Inc., cn=Perry
White, email=white@sand-
hills.com
Date: 2019.11.06 13:42:00
-05'00'

PERRY C. WHITE
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 4213

08/29/19

REV.: 11/06/19

CERTIFICATION:

I HEREBY CERTIFY THAT THE BOUNDARY SURVEY AS SHOWN HEREON, MEETS THOSE STANDARDS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, FLORIDA STATUTES. THIS SKETCH AND DESCRIPTION OR COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA SURVEYOR AND MAPPER.

SKETCH OF BOUNDARY SURVEY

WALLIS ROAD
RIGHT OF WAY
ABANDONMENT

SCALE:

NONE

SHEET 1 OF 4

REVIEWED: PW

DRAWN: DLS

DATE:
08/29/19

DRAWING No:
D0309BD01

8461 LAKE WORTH ROAD, SUITE 410

LAKE WORTH, FL 33467

Tel: 561-209-6048

L.B. NUMBER 7741

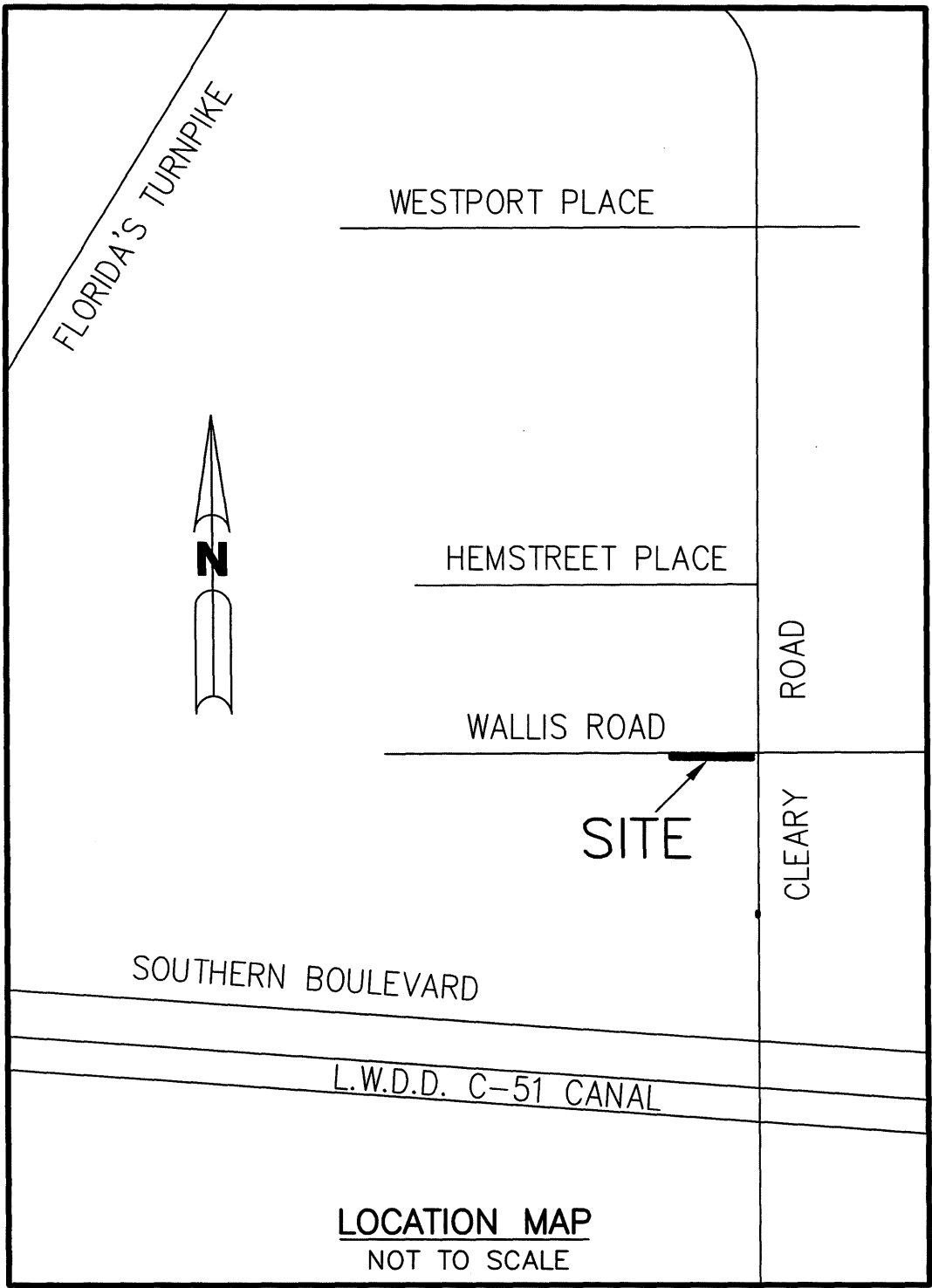


SURVEYOR'S REPORT: (CONTINUED)

- 8. DESCRIPTION PREPARED FROM THIS SURVEY.
- 9. ALL RECORDED INSTRUMENTS SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 10. COORDINATES SHOWN ARE GRID COORDINATES DATUM = NAD 83 (1990 ADJUSTMENT).
ZONE = FLORIDA EAST ZONE
LINEAR UNIT = U.S. SURVEY FEET
COORDINATE SYSTEM = 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND (UNLESS OTHERWISE NOTED).
SCALE FACTOR = 1.000028
- 11. THE ROAD, DYKE AND DITCH RESERVATION ACCORDING TO PALM BEACH FARMS CO. PLAT NO. 3, PLAT BOOK 2, PAGE 45, AND AS LABELED ON THIS SURVEY, IS INCLUDED IN THAT COURT CASE:
88-8111-CIV-GONZALEZ, PALM BEACH COUNTY VS WEST PENINSULAR TITLE COMPANY ET AL. (O.R.B. 11687, PG. 1584) THE RESULT OF THIS LAWSUIT WAS THAT THE ROAD, DITCH & DYKE RESERVATIONS REVERT BACK IN OWNERSHIP TO THE ADJOINING LAND OWNER.
- 12. **THE EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY SHOWN HEREON ARE BASED ON THAT TITLE SEARCH REPORT PREPARED BY ATTORNEYS' TITLE FUND SERVICES, LLC, EFFECTIVE DATE: AUGUST 23, 2019 AT 11:00 PM, FUND FILE NO. 775882. THE FOLLOWING RESTRICTIONS AND EASEMENTS, NUMBERED AS THEY APPEAR IN SAID REPORT, ENCUMBER THE SUBJECT PARCEL UNLESS OTHERWISE NOTED.**
 - 2. ALL MATTERS CONTAINED ON THE PLAT OF THE PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **(PLOTTED)**
 - 3. FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN O.R. BOOK 1704, PAGE 1661, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **(BLANKET EASEMENT, NOT PLOTTED. 60' WIDE EASEMENT PLOTTED)**
 - 4. RIGHT OF WAY FOR SMALL LATERAL DITCHES IN FAVOR OF OTHER TRACTS AND RESERVATIONS CONTAINED IN DEED BOOK 106, PAGE 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **(BLANKET, NOT PLOTTED)**
 - 5. OIL, GAS, MINERAL RESERVATIONS IN DEED BOOK 752, PAGE 210, AS AFFECTED BY RELEASE OF RESERVATIONS RECORDED IN O. R. BOOK 148, PAGE 514 AND NON-USE COMMITMENT RECORDED IN O.R. BOOK 4548, PAGE 1512, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. NO DETERMINATION HAS BEEN MADE AS TO THE CURRENT RECORD OWNER FOR THE INTEREST EXCEPTED HEREIN. **(BLANKET, NOT PLOTTED)**
 - 6. EASEMENT FOR RIGHT OF WAY PURPOSES CONTAINED IN DEED RECORDED IN O. R. BOOK 1672, PAGE 1402, AND O.R. BOOK 3040, PAGE 24, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **(PLOTTED)**
 - 7. FLORIDA POWER AND LIGHT COMPANY EASEMENT RECORDED IN O.R. BOOK 5685, PAGE 842, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **(DOES NOT ENCUMBER SUBJECT PARCEL)**

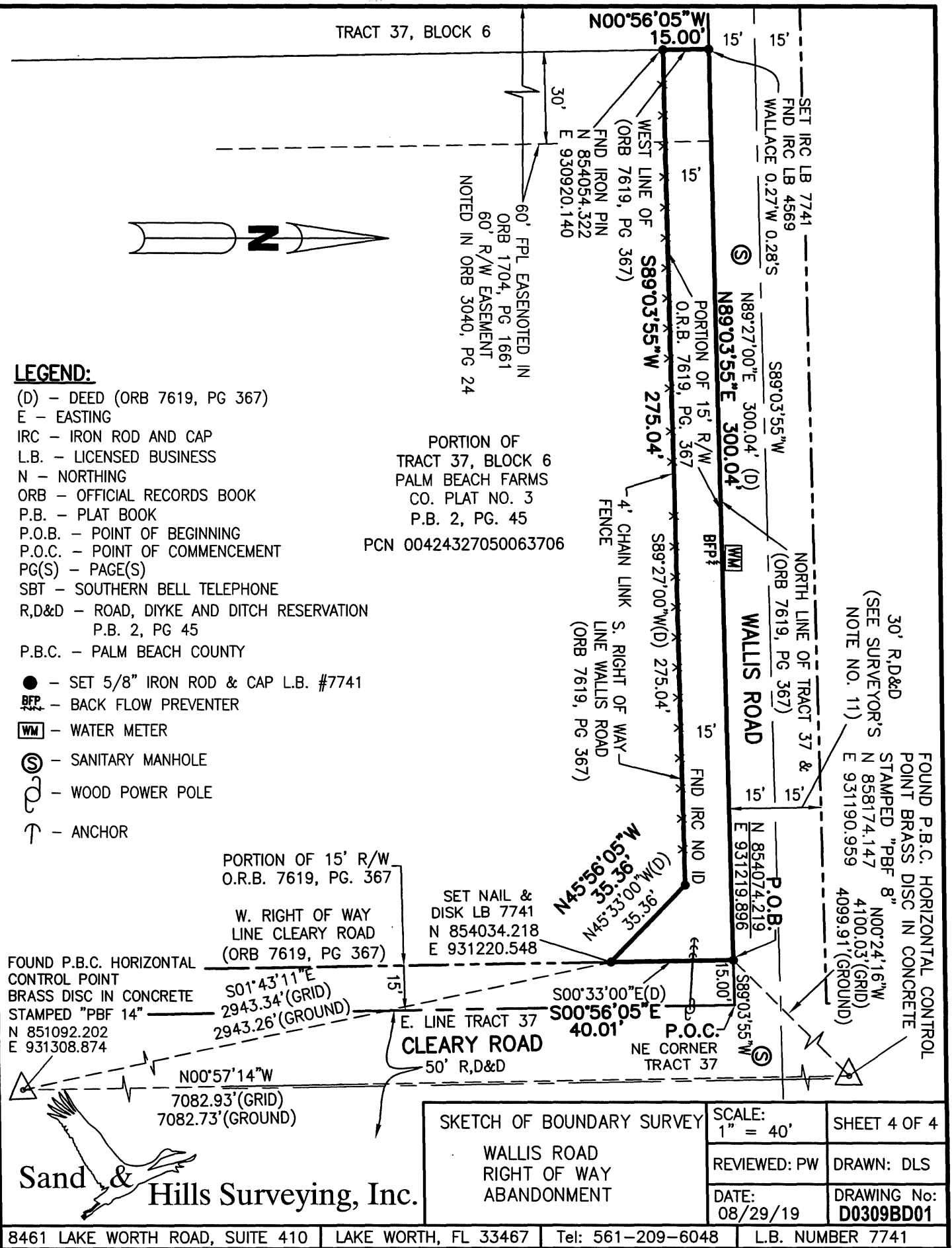
SKETCH OF BOUNDARY SURVEY WALLIS ROAD RIGHT OF WAY ABANDONMENT	SCALE: NONE	SHEET 2 OF 4
	REVIEWED: PW	DRAWN: DLS
	DATE: 08/29/19	DRAWING No: D0309BD01

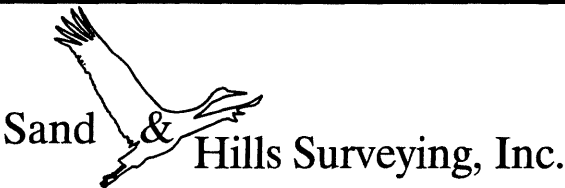
8461 LAKE WORTH ROAD, SUITE 410	LAKE WORTH, FL 33467	Tel: 561-209-6048	L.B. NUMBER 7741
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SKETCH OF BOUNDARY SURVEY WALLIS ROAD RIGHT OF WAY ABANDONMENT	SCALE: NONE	SHEET 3 OF 4
	REVIEWED: PW	DRAWN: DLS
	DATE: 08/29/19	DRAWING No: D0309BD01

EXHIBIT B





DESCRIPTION:

BEING A PORTION OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2 PAGES 45 THROUGH 54 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID OF TRACT 37, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3; THENCE ALONG THE NORTH LINE OF SAID TRACT 37, BLOCK 6, SOUTH 89°03'55" WEST, A DISTANCE OF 15.00 FEET TO A POINT ON A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 37; THENCE SOUTH 00°56'05" EAST, A DISTANCE OF 8.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID PARALLEL LINE, S00°56'05" E, A DISTANCE OF 10.04 FEET; THENCE DEPARTING SAID PARALLEL LINE, N85°47'06"W, A DISTANCE OF 12.93 FEET; THENCE N04°12'54"E, A DISTANCE OF 10.00 FEET; THENCE S85°47'06"E, A DISTANCE OF 12.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 125 SQUARE FEET OR 0.0029 ACRES, MORE OR LESS.

NOTE: BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE GRID, FLORIDA EAST ZONE, THE LINE FORMED BETWEEN PALM BEACH COUNTY HORIZONTAL CONTROL MONUMENTS STAMPED "PBF 8" AND "PBF 14" HAVING A GRID BEARING OF NORTH 00°57'14" WEST, WITH ALL BEARINGS SHOWN HEREON BEING RELATIVE THERETO.


NOTES:
COORDINATES SHOWN ARE GRID COORDINATES
DATUM = NAD 83 (1990 ADJUSTMENT).
ZONE = FLORIDA EAST ZONE
LINEAR UNIT = U.S. SURVEY FEET
COORDINATE SYSTEM = 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND (UNLESS OTHERWISE NOTED).
SCALE FACTOR = 1.000028

Perry
White

Digitally signed by Perry White
DN: c=US, st=Florida, l=Lake Worth, o=Sand & Hills Surveying, Inc., cn=Perry White, email=white@sand-hills.com
Date: 2020.07.07 11:31:00 -04'00'

CERTIFICATION:

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION AS SHOWN HEREON, MEETS THOSE STANDARDS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, FLORIDA STATUTES. THIS SKETCH AND DESCRIPTION OR COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA SURVEYOR AND MAPPER.


DATE: 07/01/20
PERRY C. WHITE
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 4213

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RIGHTS-OF-WAY OR EASEMENTS OF RECORD.

SKETCH & DESCRIPTION WALLIS ROAD 10' FLORIDA POWER & LIGHT EASEMENT	SCALE: NONE	SHEET 1 OF 2
	REVIEWED: PW	DRAWN: DLS
	DATE: 07/01/20	DRAWING No: D0309LG02

EXHIBIT C

