

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	0	_____	_____	_____	_____
Operating Costs	0	_____	_____	_____	_____
External Revenues	0	_____	_____	_____	_____
Program Income (County)	0	_____	_____	_____	_____
In-Kind Match (County)	0	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	0	_____	_____	_____	_____
Is Item Included in Current Budget:		Yes _____		No <u>x</u> _____	
Does this item include the use of federal funds?		Yes _____		No <u>x</u> _____	
Budget Account No:	Fund _____		Dept _____	Unit _____	Object _____
		Program _____			

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

No Fiscal impact.

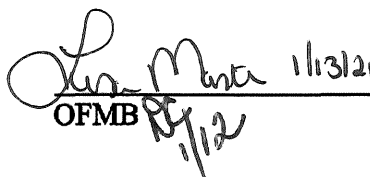
Fixed Assets Number _____

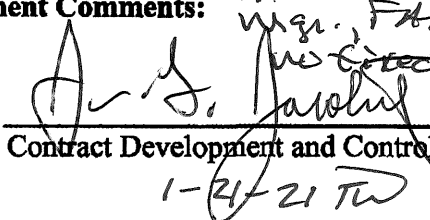
C. Departmental Fiscal Review:



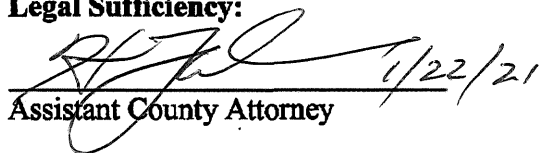
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

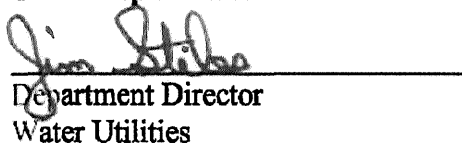

 OFMB 1/12 LM
1/13

*As discussed in 1/21/21
 w/ Mr. Fano, of sub
 no successor assigned
 (not reg'd)*

 Contract Development and Control 1/21/21
 1-21-21 TW

B. Legal Sufficiency:


 Assistant County Attorney 1/22/21

C. Other Department Review:


 Department Director
 Water Utilities


 Department Director
 Engineering and Public Works

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

Background and Policy Issues Continued:

Pursuant to Ordinance 86-18, as amended (Abandonment Ordinance), the County required property owners to, among other things, apply to the County and pay a privilege fee to abandon any County and public interests in the rights of way.

In the 1980's, West Peninsular Title Company and Absolute, Inc. acquired the interest of the original developer of The Palm Beach Farms Co. platted subdivisions and asserted claims to ownership of the rights of way within the Plats. West Peninsular and Absolute started to sell portions of the right of way to third parties who were not adjacent owners, and to charge adjacent owners for use of the property. This wreaked havoc on property owners and developers. In addition, West Peninsular and Absolute sued the County and other defendants over the Abandonment Ordinance, among other issues, (Federal Lawsuit) claiming the County was effectively selling land owned by West Peninsular/Absolute. The jury returned a verdict against the County finding that the defendants had never accepted the offer of dedication from plaintiffs' predecessor in interest. (Final Judgment Order recorded in ORB 11687, page 1584). In a related state court case, West Peninsular/Absolute lost its interest in the rights of way to the adjoining property owners, resulting in the property owners holding fee simple title to the rights of way free and clear of the Palm Beach Farms Plat No. 3 public dedication. (ORB 9209/116 and ORB 11006/1981). In 2002, the County reached a settlement with West Peninsular/Absolute where the County paid for those few rights of way the County was actually using, and West Peninsular/Absolute provided the County Quit Claim Deeds releasing any claims to the rights of way within the Palm Beach Farms plats. Attached is an email from Assistant County Attorney Paul King briefly summarizing the history of legal action with respect to these rights of way. Also attached is a legal memorandum from Eleanor Halperin, the attorney representing Hoover.

As a result of the Federal Lawsuit, Engineering and the County Attorney's office have taken the position that (with certain limited exceptions for rights of way the County purchased as part of the settlement or owned as an adjacent owner) the County and the public have no interest in these rights of way that were part of the Federal Lawsuit; that the adjacent tract owners own to the centerline of the road; that the County cannot abandon those rights of way, and that there is no need for the County to provide adjacent owners a quit claim deed to evidence clear title in the adjacent owners.

However, continued uncertainty exists with respect to the County's interest in the rights of way arising out of the West Peninsular/Absolute Quit Claim Deed (ORB13889, Pg. 490). To the layperson, the record shows a Quit Claim Deed to the County. In addition, the Property Appraiser's records reflect the County as owner. Title companies and attorneys sometimes require a deed from the County in order to insure title. In those few instances, the County has provided Quit Claim Deeds to adjacent owners releasing any County interest.

While reviewing Hoover's request for a quit claim deed, it was discovered that utility lines exist within the subject property. Hoover has agreed to provide the County with a Utility Easement within the south 15' road right of way.

Under Florida Statutes, Section 286.23, Hoover is required to provide a Disclosure of Beneficial Interests. Judith A. Hoover, as Successor Trustee of the Credit Shelter created under the Richard D. Hoover Trust Declaration u/a/d 12/24/1986 as amended and restated 2/23/1998, holds a 51.95% interest, there are no individuals with an interest in the Credit Shelter Trust; and Hoover Properties, LTD, a Florida Limited Partnership holds a 48.05 % the individuals holding a 5% or greater interest in Hoover Properties, Ltd., are: Jan Hoover Bell 24.75%, Jillian H. Zarins 24.75%, Elizabeth H. Brumley 24.75% and Margaret H. Meadows 24.75%.



LOCATION MAP

Attachment #2
Quit Claim Deed with Exhibit "A" (4 pages)

PREPARED BY AND RETURN TO:
Ross C. Hering
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: NA
Closing Date: _____
Purchase Price: NA

QUIT CLAIM DEED

This QUIT CLAIM DEED, made on _____, by **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, ("County"), and Judith A. Hoover, as successor Trustee of the Credit Shelter Trust created under the Richard D. Hoover Trust Declaration u/a/d 12/24/1986 as amended and restated 2/23/1998 and Hoover Properties, LTD, a Florida limited partnership, whose legal mailing address is 711 Pinehurst Way, Palm Beach Gardens, FL 33418, ("Grantees").

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by County, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantees, their successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See Exhibit "A" attached hereto and made a part hereof ("Property")

The specific intent of this Quit Claim Deed is to release any interest in the Property arising pursuant to the Quit Claim Deeds recorded in Official Records Book 13889, Page 490, and in Official Records Book 13889, Page 459, of the Public Records of Palm Beach County, FL.

SAVING AND RESERVING, unto County, easements for all existing utility lines and equipment, together with the right to repair, maintain, add to and enlarge said lines and equipment.

IN WITNESS WHEREOF, County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice Mayor of said Board, the day and year aforesaid.

ATTEST:

JOSEPH ABRUZZO
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

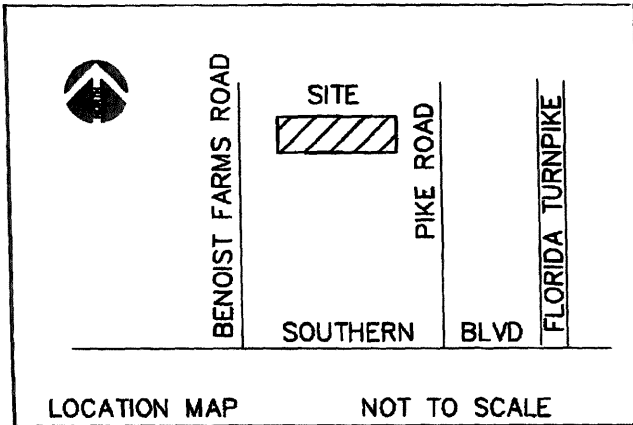
By: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

(OFFICIAL SEAL)

EXHIBIT "A"



DESCRIPTION :

THE SOUTH 15 FEET OF THAT CERTAIN 30 FOOT STRIP OF LAND LYING BETWEEN TRACTS 31 AND 42, BLOCK 6, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FL., BOUNDED ON THE EAST AND WEST BY THE NORTHERLY EXTENSION OF THE EAST AND WEST PROPERTY LINES OF THE FOLLOWING DESCRIBED PARCEL:

TRACT 42, BLOCK 6, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, LESS THE WEST 275.04 FEET AND THE RIGHT-OF-WAY FOR STATE ROAD NO.80. CONTAINING 10,724 SQUARE FEET OR 0.25 ACRES MORE OR LESS.

1. BEARINGS ARE BASED UPON AN ASSUMED BEARING OF N89°00'44"W ALONG THE NORTH LINE OF TRACT 42, BLOCK 6 OF THE PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.
2. WRITTEN DIMENSION TAKE PRECEDENCE OVER SCALED DIMENSION AND DISTANCES ARE NOT TO BE SCALED FOR CONSTRUCTION AND/OR DESIGN PURPOSES.
3. ALL DIMENSIONS ARE BASED UPON THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.

THIS SKETCH MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE AS SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.

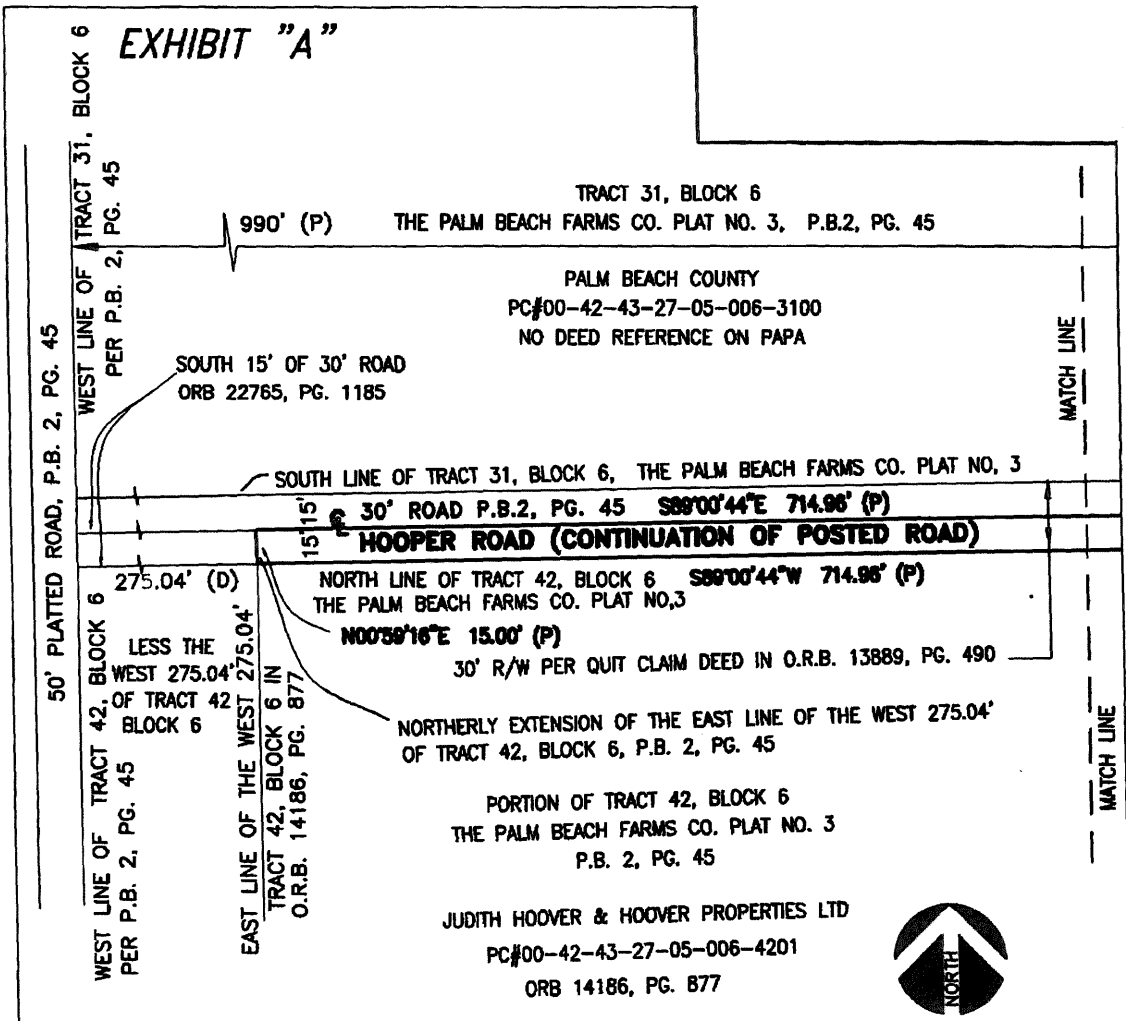
NOTE:
 This drawing is not valid without embossed seal or Digital Signature of Surveyor.
Richard N Dean
 Richard N Dean
 Date: 2020.11.05 23:08:08 -05'00'
Dean
 RICHARD N. DEAN
 Professional Land Surveyor
 Florida Certificate No. 4406
 L.B. 6936

Dean Surveying & Mapping, Inc.
 "The Measuring Line Shall Go Forth"
 Jeremiah 31: 39
 4201 Westgate Ave., Suite A-3
 West Palm Beach, Florida 33409
 Tel: (561)625-8748 Fax (561)626-4558

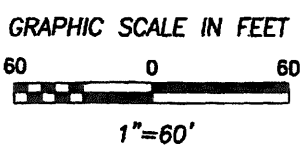
REV.: 11/5/20	DATE: 10/09/20
DRAWN: M.R.	SCALE: N/A
SHEET: 1 OF 3	JOB NO: 019-1012-R/W

THIS IS NOT A
 BOUNDARY SURVEY

EXHIBIT "A"



BEARINGS ARE BASED UPON AN ASSUMED BEARING OF N89°00'44"W ALONG THE NORTH LINE OF TRACT 42, BLOCK 6 OF THE PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.



LEGEND

- R/W = RIGHT-OF-WAY
- O.R.B. = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- PG. = PAGE
- (P) = PLAT-P.B. 2, PG. 45
- (D) = DEED

THIS IS NOT A BOUNDARY SURVEY

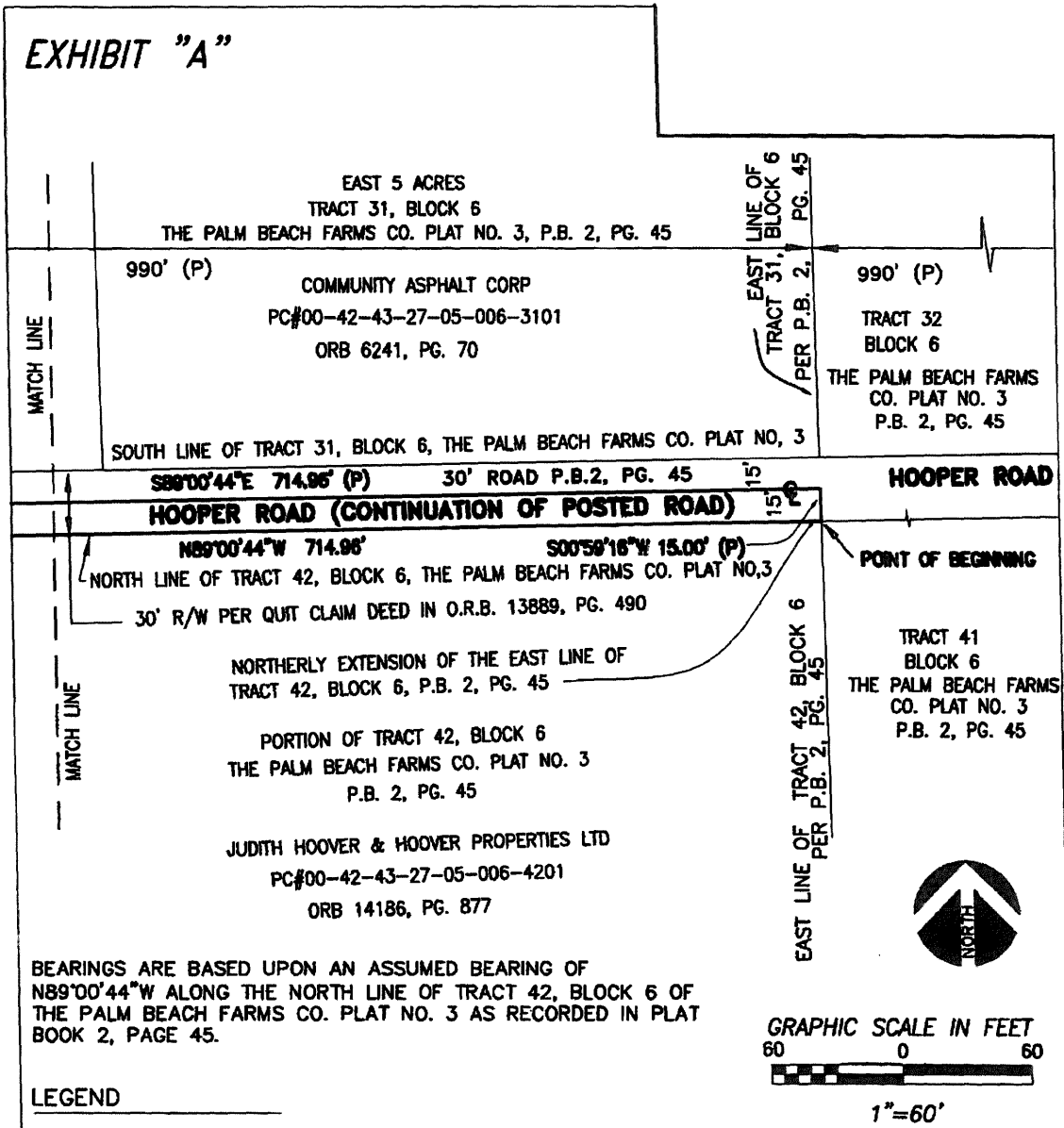
NOTE:
 This drawing is not valid without embossed seal or Digital Signature of Surveyor
Richard N Dean
 Digitally signed by Richard N Dean
 Date: 2020.11.05 23:08:47 -05'00'

RICHARD N. DEAN
 Professional Land Surveyor
 Florida Certificate No. 4406
 L.B. 6936

Dean Surveying & Mapping, Inc.
 "The Measuring Line Shall Go Forth"
 Jeremiah 31:39
 4201 Westgate Ave., Suite A-3
 West Palm Beach, Florida 33409
 Tel: (561)625-8748 Fax (561)626-4558

REV.: 11/5/20	DATE: 10/09/20
DRAWN: M.R.	SCALE: 1" = 60'
SHEET: 2 OF 3	JOB NO: 019-1012-R/W

EXHIBIT "A"



BEARINGS ARE BASED UPON AN ASSUMED BEARING OF N89°00'44"W ALONG THE NORTH LINE OF TRACT 42, BLOCK 6 OF THE PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.

LEGEND

R/W = RIGHT-OF-WAY
O.R.B. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
PG. = PAGE
(P) = PLAT-P.B.2, PG. 45
(D) = DEED

THIS IS NOT A
BOUNDARY SURVEY

NOTE:

This drawing is not valid without embossed seal or Digital Signature of Surveyor
Richard N Dean
Digitally signed by Richard N Dean
Date: 2020.11.05 23:09:10 -05'00'

RICHARD N. DEAN
Professional Land Surveyor
Florida Certificate No. 4406
L.B. 6936

Dean Surveying & Mapping, Inc.



"The Measuring Line Shall Go Forth"
Jeremiah 31:39

4201 Westgate Ave., Suite A-3
West Palm Beach, Florida 33409

Tel: (561)625-8748 Fax (561)626-4558

REV.: 11/5/20

DATE: 10/09/20

DRAWN: M.R.

SCALE: 1" = 60'

SHEET: 3 OF 3

JOB NO: 019-1012-R/W

Attachment #3
Paul King Email (1 page)

**From: Paul King
To: Barr, Betsy
Date: 6/13/02 10:48AM
Subject: Re: WEST PENN GAP SEARCHES**

Betsy-The right of way that was in the federal lawsuit does not need to be abandoned. In fact, the federal judgment does not permit the County to abandon such rights of way.

Whoever surveys the area needs to show the Plat 3 right of way covered by the federal suit as "removed" based on the federal final judgment. That judgment has been recorded, for reference on the survey.

Paul.

**>>> Betsy Barr 06/13/02 10:34AM >>>
Paul -**

I just need some clarification on the need for abandonment. After the QCDs are recorded, we are planning on requesting an abandonment of all of the PB Farms Plat 3 r/o/w in the Sanbury's Way property. Some of that r/o/w was not in the lawsuit, so we definitely need it for that (we will get all abutting owners to join in the applications). The rest of it was part of the lawsuit and we now have the Special Warranty Deed for those parcels. Do we still need to get those abandoned? I was told that we do since it is still shown as r/o/w on a plat and we need to get rid of that designation in order for buildings to be constructed over the platted r/o/w. Do you agree?

Thanks.

Betsy

>>> Paul King 06/13/02 10:20AM >>>

Kat-The quit claim deeds were obtained to ensure that neither the County nor any property owner would be bothered with a similar West Pen right of way claim in the future.

As to the Plat 3 right of way parcels in the federal suit, the County lost the dedicated public interest in those parcels under the federal judgment. West Pen then lost its interest in those parcels to the adjoining owners under the Nibollits state judgment. The new quit claim deeds do not change this result. The adjoining owners own those right of ways free of the Plat 3 public dedication.

**As to the Plat 3 parcels not in the federal suit, the County's position is that those dedicated rights of way remain in place. They may be abandoned by the County, or used for road or any other purpose permitted by the dedication on Plat 3.
Paul.**

>>> Kat Chopin 06/13/02 09:34AM >>>

THE GAP SEARCHES ARE COMPLETE - NO CHANGE.

BY VIRTUE OF THE QUIT CLAIM DEED, WHAT IS OUR OFFICIAL POSITION REGARDING:

- A. PARCELS IN THE ORIGINAL SUIT?**
- B. PARCELS IN PLAT 3 NOT IN THE SUIT?**

THANK YOU.

KAT - R/W 561-478(6)-5796

CC: McMahon, Andrew

Attachment #4
Eleanor B. Halperin Legal Memorandum (3 pages)

17 January 2020

Memorandum

To: Howard Falcon, Liz Herman, Ross Hering, John D. Enck

Property: Tract 42, Block 6, Palm Beach Farms Company Plat No. 3, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 2, Pages 45 to 54 inclusive, Less the West 275.04 feet and the right-of-way for State Road No. 80.

PCN: 00-42-43-27-05-006-4201 (the "Hoover Property")

Request: To include 15' of the 30' right of way (the "Road") contiguous to the north of the Hoover Property into the PCN.

Conclusion: Title to the centerline of the Road is vested in the owner of the Hoover Property in fee simple. This conclusion is based on the following facts and judgements:

My client, Judith A. Hoover, as successor Trustee of the Credit Shelter Trust created under the Richard D. Hoover Trust Declaration u/a/d 12/24/1986, as amended and restated 2/23/1998 and Hoover Properties, LTD, a Florida limited partnership, owns the Property whose address is 7777 Southern Boulevard. The Property is within Palm Beach Farms Plat 3 ("PBF Plat"). One of the recitations within the PBF Plat is a reservation for road, dyke and ditch purposes over strips marked "Road" that are 30' between Blocks. A copy of the section of the PBF Plat that includes the Hoover Property and the Road that is the subject of this opinion is attached as Exhibit 1.

In 1992, West Penninsular Title filed a suit to quiet title to its ownership in the "Roads" that were reserved on the PBF Plat. West Penninsular Title Company, et al., vs. Palm Beach County, et al., Case No. 88-8111-CIV-GONZALEZ in the United States District Court for the Southern District of Florida (the "Gonzalez Case"). The court found that the County never accepted the dedication of the "Roads" and held that title was vested in successor(s) in interest to the original sub-divider of the PBF Plat. The Order determined that Palm Beach County had no interest in the Roads that were the subject of the suit and declared West Penninsular as the owner of certain Roads and Absolute, Inc as Owner of other Roads. The Road that is the subject of this discussion was included in the properties listed under the Absolute, Inc. ownership. This Order was entered on December 30, 1992, a copy of which is attached as Exhibit 2.

Two years later, the Palm Beach County Property Appraiser, Gary Nikolits, brought an action against the plaintiffs in the Gonzalez Case requesting that the Court determine how title to the Roads should be shown on the tax rolls. Gary Nikolits vs. West Penninsular Title Company, et al., Case No. CL94-1668 AE in the Fifteenth Judicial Circuit of the State of Florida (the "Nicolits Case"). Four parties filed cross claims in the Nikolits Case requesting that the Court declare that each of them acquired fee simple title to the centerline of any Roads adjoining their specific properties when they took title to each of their respective parcels. On March 18, 1996, the Court entered a judgement vesting title to the centerline of each of the Roads contiguous to such Tract in the Tract owner. This Order did not address the original question raised by

the Property Appraiser as to how title should be reflected on the tax rolls in that Final Judgement. However, in October of 1996, the Court entered a Final Declaratory Judgement directing the Property Appraiser to place the Roads on the tax rolls in accordance with that March 18th Judgement, a copy of which is attached as Exhibit 3.

While this Final Declaratory Judgement did not address all the Roads within the PBF Plat, the reasoning of the Court in the Nikolits Case should be applied to the Hoover Property. Rather than quote verbatim the basis for the decision, here is a summary of the pertinent points:

- The reservations on the PBF Plat evidenced no intent by the dedicator to retain ownership or any reversionary rights in the Roads.
- It is well established Florida law that ownership of the abutting road up to the centerline is conveyed to the lot owner as part of the conveyance of the lot itself.
- The abutting road could be burdened by an easement in favor of the public if the dedication were accepted by the public.
- The Gonzalez Case determined that Palm Beach County did not accept the dedication of the Roads in that case; and further, that as between Palm Beach County and the Plaintiffs, the Plaintiffs had a better claim to the Roads.
- The Gonzalez Case could not and did not explore or determine the ownership of the Roads as between West Penninsular or Absolute, Inc. and the adjoining property owners because the adjoining property owners were not a party.
- Fee simple title to the Roads included in the Nikolits Case was quieted in each of the cross-plaintiffs. Neither West Penninsular and/or Absolute had any interest or claim to the Roads.

The same facts that served as the basis for the decision in the Nikolits Case are found in the situation we are asking you to review. The first deed that conveyed Tract 42 Block 6 of the PBF Plat from Palm Beach Farms Company included the same language as the deeds discussed in the Nikolits Case: "Together with all and singular the rights, tenements, hereditaments, and appurtenances to the said premises belonging or in any way appertaining". A copy of the deed is attached as Exhibit 4. That initial deed contained no reference to any intent on the part of the Grantor to retain any fee interest in the platted roads which was the exact situation reviewed in the Nikolits Case.

The Nikolits Case relied on, and clearly restated, well established Florida Law regarding the ownership of the Roads. "The general rule in Florida is that, in the absence of a contrary showing, the purchaser of a lot which abuts a road receives from the sub-divider the fee title to not just the lot, but also to that portion of the road which abuts the lot, up to the centerline of the road" Accordingly, when Lot 42 Block 6 was conveyed to A. Kissmore from the sub-divider, Palm Beach Farms Company, it included title to the centerline of the adjoining Road. We also now know that the public never accepted the dedication of this Road, as was established in the Gonzalez Case. Accordingly, the fee title to the Road was never subjected to an easement in favor of the public. Fee simple title to the centerline of the Road vested in the owner of the Property in 1913 and has been included in every conveyance of the Property since that date. The property appraiser's map and legal description of the Property, as well as the tax rolls, should be modified to add the Road to the centerline to the PCN of the Property.

It is interesting to note that in a 2002 case the plaintiffs in the Nikolits Case sued seeking compensation

for those roads in PBF Plat that were accepted by the public. *Absolute Inc and West Penninsular Title Company v Palm Beach County, Case No. 94-8872 in the Fifteenth Judicial Circuit in and for Palm Beach County, Fl.* In a Stipulated Final Judgement, the County agreed to pay the plaintiffs full compensation for any property taken by the County. Subsequently, both West Penninsular and Absolute, Inc. both executed quit claim deeds to the County. Copies of those deeds are attached as Exhibit 5, with only one set of Exhibits since they are the same. After those quit claim deeds were recorded, internal communication between the County right of way department and the County Attorney's Office were exchanged to determine how to deal with this issue. Assistant County Attorney Paul King concluded the following:

- West Penninsular and Absolute lost their interest in the Roads to the adjoining landowners by virtue of the Nikolits case.
- The County had no interest in those roads that were included in the Gonzalez Case; and therefore, there was no public interest for the County to need to abandon.
- The quit claim deeds given by West Penn and Absolute to the County in 2002 were simply to ensure that, ". . . neither the County nor any property owner would be bothered with a similar West Penn right of way claim in the future."

Paul King recommended in 2002 that any survey of the area should show that these roads were removed by virtue of the Gonzalez Case. A copy of these emails is attached as Exhibit 6.

Paul King was able to implement this advice when another one of my clients, JCL Management, LLC., requested the County quit claim the 15' adjoining its property to clarify ownership of the road for the property appraiser. Paul recommended that the County execute that deed, which was approved, and is attached as Exhibit 7. You can see that the road that was quit claimed is the western extension of the Road that is the subject of this request.

As a point of information, the Gonzalez Case and the Nikolits Case, taken together, concluded that neither the County, West Penninsular or Absolute have any interest whatsoever in any of the dedicated roads that were not accepted by the County. Mr. King's conclusion that these roads are owned to the centerline by the adjoining tracts should serve as a basis to allow the Property Appraiser to add those roads to the PCN's of the adjoining tracts and put them on the tax rolls. This would also avoid the need for anyone to have to address this type of request in the future or incur unnecessary expenses. For example, I processed an abandonment petition on behalf of a client that cost them thousands of dollars only to have the County conclude that they had no interest in the road by virtue of this situation and the abandonment was unnecessary.

Notwithstanding the County's decision to apply this position to other roads, for all the reasons stated above, we respectfully request that the Property Appraiser add the Road to the PCN for the Hoover Property as soon as possible.

Attachment #5
Disclosure of Beneficial Interests (6 pages)

GRANTEE'S DISCLOSURE OF BENEFICIAL INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared, Judith A. Hoover, hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Successor Trustee of the Credit Shelter Trust, (the "Grantee") which entity is the Grantee of the real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 5200 N FLAGLER DR #903
WEST PALM BEACH, FL 33407

3. Attached hereto, and made a part hereof, as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the Grantee and the percentage interest of each such person or entity.

4. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

5. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete, and will be relied upon by Palm Beach County relating to its sale of the property.

FURTHER AFFIANT SAYETH NAUGHT.

Judith A. Hoover, Affiant
Print Affiant Name: Judith A. Hoover

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of [] physical presence or [] online notarization this 12 day of NOV, 2020, by JUDITH A HOOPER [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Carol A. Prew
Notary Public

Carol A. Prew
(Print Notary Name)

EXHIBIT "A"

PROPERTY

The South 15 feet of that certain 30 foot parcel of land within Block 6, The Palm Beach Farms Co. Plat No. 3, according to the plat thereof, recorded in Plat book 2, page 45 of the Public Records of Palm Beach County, FL, bounded on the east and west by the extension of the east and west property lines of the following described parcel:

Tract 42, Block 6, Palm Beach Farms Company Plat No. 3, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 2, Pages 45 to 54 inclusive, Less the West 275.04 feet and the right-of-way for State Road No. 80.

GRANTEE'S DISCLOSURE OF BENEFICIAL INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared, JAN HOOPER BELL hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the MANAGING MEMBER of Hoover Properties LTD, (the "Grantee") which entity is the Grantee of the real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 419 SW AKRON AVE
STUART FL 34994

3. Attached hereto, and made a part hereof, as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the Grantee and the percentage interest of each such person or entity.

4. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

5. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete, and will be relied upon by Palm Beach County relating to its sale of the property.

FURTHER AFFIANT SAYETH NAUGHT.

Jan Hoover Bell Affiant
Print Affiant Name: JAN HOOPER BELL

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of physical presence or online notarization this 12 day of NOV, 2020, by JAN HOOPER BELL who is personally known to me or who has produced _____ as identification and who did take an oath.

Carol A. Prew
Notary Public
Carol A. Prew
(Print Notary Name)



NOTARY PUBLIC
State of Florida at Large

My Commission Expires: 8/10/22

EXHIBIT "A"

PROPERTY

The South 15 feet of that certain 30 foot parcel of land within Block 6, The Palm Beach Farms Co. Plat No. 3; according to the plat thereof, recorded in Plat book 2, page 45 of the Public Records of Palm Beach County, FL, bounded on the east and west by the extension of the east and west property lines of the following described parcel:

Tract 42, Block 6, Palm Beach Farms Company Plat No. 3, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 2, Pages 45 to 54 inclusive, Less the West 275.04 feet and the right-of-way for State Road No. 80.

EXHIBIT "B"

SCHEDULE TO BENEFICIAL
INTERESTS IN (Grantee)

Grantee is only required to identify five percent (5%) or greater beneficial interest holders. If none, so state. Grantee must identify individual owners. If, by way of example, Grantee is wholly or partially owned by another entity, such as a corporation, Grantee must identify such other entity, its address and percentage interest, as well as such information for the individual owners of such other entity.

NAME	ADDRESS	PERCENTAGE OF INTEREST
JAN HOOVER BYELL	419 SW AKRON AVE STUART FL 34944	24.75%
JILLIAN H ZARINS	215 31 ST ST - WEST PALM BCH FL 33407	24.75%
ELIZABETH H. BRUMLEY	315 FORESTERIA LAKE PARK, FL 33403	24.75%
MARGARET H. MEADOWS	9315 12 ^{1ST} COURT KIRKLAND, WA 98034	24.75%

Attachment #6
Utility Easement "A" (6 pages)

Prepared by
Katrina L. Bellinger
Return to:
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 4 day of Jan, 2021, by Judith A. Hoover, as Successor Trustee of the Credit Shelter Trust created under the Richard D. Hoover Trust Declaration u/a/d 12/24/1986 as amended and restated 2/23/1998 **and** Hoover Properties, LTD, a Florida Limited Partnership (collectively referred to as "Grantors" hereinafter), whose address is 5200 N. Flagler Dr. #903, West Palm Beach , FL 33407, to and in favor of Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413.

WITNESSETH:

That Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantors at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment under and across the easement premises. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

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

Grantors hereby covenant with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances.

IN WITNESS WHEREOF, the Grantors have hereunto set its hand and affixed its seal as of the date first above written.

Signed, sealed and delivered in the presence of:

GRANTORS

Judith A. Hoover, as Successor Trustee of the Credit Shelter Trust created under the Richard D. Hoover Trust Declaration u/a/d 12/24/1986 as amended and restated 2/23/1998

Jillian Zarins
Witness Signature

JILLIAN ZARINS
Print Name

Nicholas Zarins
Witness Signature

Nicholas Zarins
Print Name

Judith A. Hoover JTC
Signature

Judith HOOPER
Name

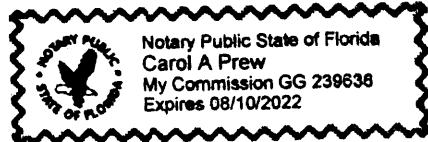
NOTARY CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of [] physical presence or [] online notarization this 4 day of JAN, 2021, by Judith A Hoover and [] who is personally known to me or [] who has produced identification and who did take an oath.

Carol A. Prew
Notary Public

Carol A. Prew
(Print Notary Name)



NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 8-10-22

Signatures continued on page 3

Hoover Properties, LTD, a Florida limited partnership

Signed, sealed and delivered in the presence of:

Carol A. Prew
Witness Signature

Carol A. Prew
Print Name

Jan Hoover Bell
Signature

JAN HOOVER BELL
Name

[Signature]
Witness Signature

David M. Barker
Print Name

NOTARY CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

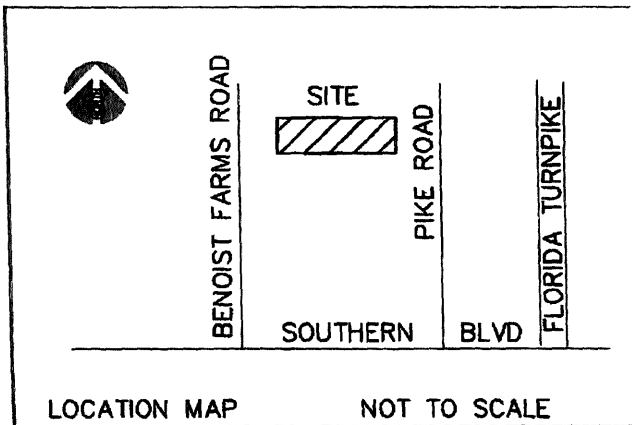
The foregoing instrument was sworn to, subscribed and acknowledged before me by means of [~~physical presence or P~~] online notarization this 4 day of Jan, 2021, by JAN HOOVER BELL and _____ [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.

Carol A. Prew
Notary Public

Carol A. Prew
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 8-10-22

EXHIBIT "A"



DESCRIPTION :

THE SOUTH 15 FEET OF THAT CERTAIN 30 FOOT STRIP OF LAND LYING BETWEEN TRACTS 31 AND 42, BLOCK 6, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FL., BOUNDED ON THE EAST AND WEST BY THE NORTHERLY EXTENSION OF THE EAST AND WEST PROPERTY LINES OF THE FOLLOWING DESCRIBED PARCEL:

TRACT 42, BLOCK 6, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, LESS THE WEST 275.04 FEET AND THE RIGHT-OF-WAY FOR STATE ROAD NO.80. CONTAINING 10,724 SQUARE FEET OR 0.25 ACRES MORE OR LESS.

1. BEARINGS ARE BASED UPON AN ASSUMED BEARING OF N89°00'44"W ALONG THE NORTH LINE OF TRACT 42, BLOCK 6 OF THE PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.
2. WRITTEN DIMENSION TAKE PRECEDENCE OVER SCALED DIMENSION AND DISTANCES ARE NOT TO BE SCALED FOR CONSTRUCTION AND/OR DESIGN PURPOSES.
3. ALL DIMENSIONS ARE BASED UPON THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.

THIS SKETCH MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE AS SET FORTH IN RULE 5J-17.050-.052, OF THE FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES.

THIS IS NOT A
BOUNDARY SURVEY

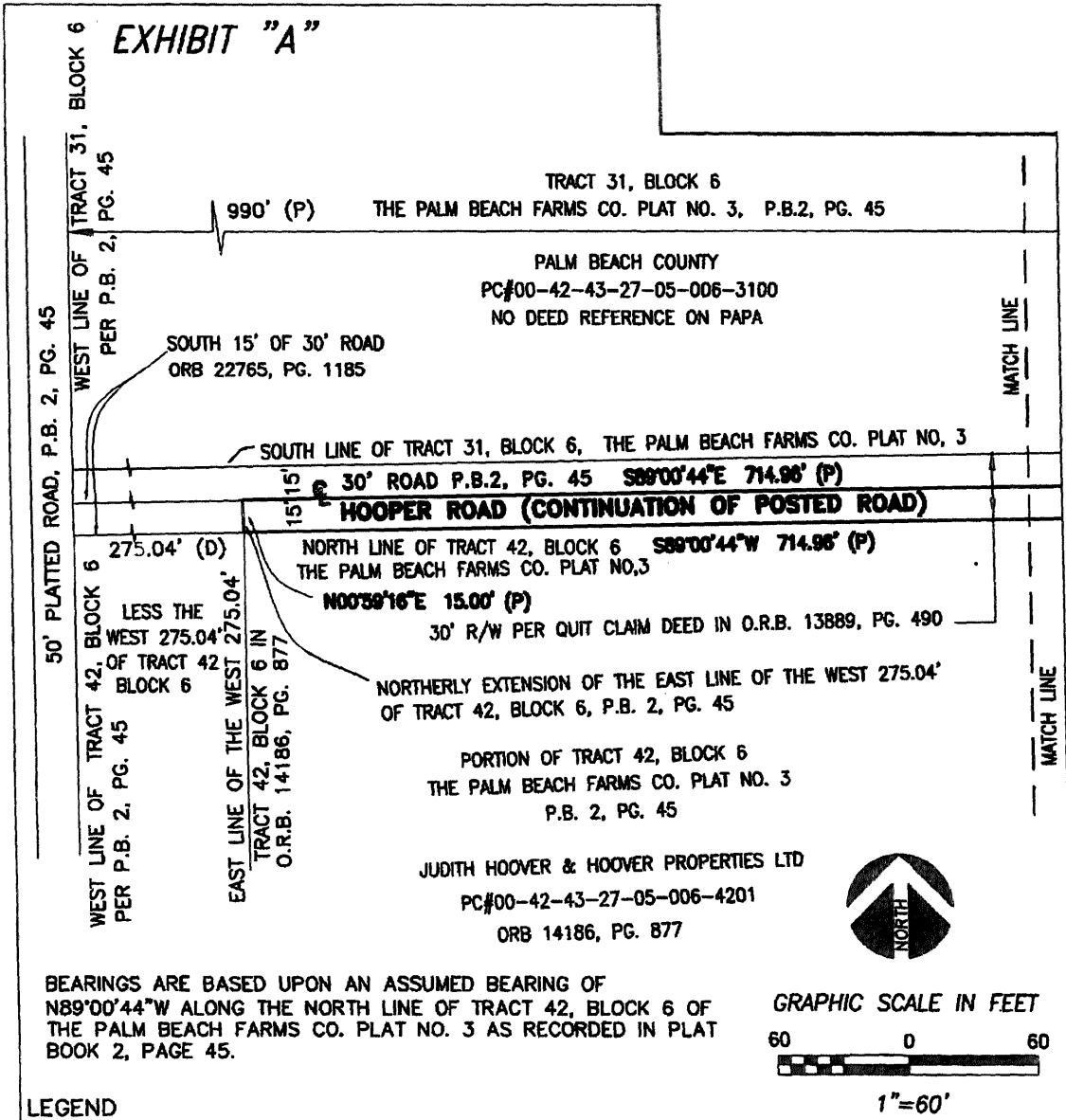
NOTE:
This drawing is not valid without embossed seal or Digital Signature of Surveyor
Richard N Dean
Richard N Dean
Date: 2020.11.05
23:08:08 -05'00'

Richard N. DEAN
Professional Land Surveyor
Florida Certificate No. 4406
L.B. 6936

Dean Surveying & Mapping, Inc.
"The Measuring Line Shall Go Forth"
Jeremiah 31:39
4201 Westgate Ave., Suite A-3
West Palm Beach, Florida 33409
Tel: (561)625-8748 Fax (561)626-4558

REV.: 11/5/20	DATE: 10/09/20
DRAWN: M.R.	SCALE: N/A
SHEET: 1 OF 3	JOB NO: 019-1012-R/W

EXHIBIT "A"



BEARINGS ARE BASED UPON AN ASSUMED BEARING OF N89°00'44"W ALONG THE NORTH LINE OF TRACT 42, BLOCK 6 OF THE PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.

LEGEND

R/W = RIGHT-OF-WAY
O.R.B. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
PG. = PAGE
(P) = PLAT-P.B. 2, PG. 45
(D) = DEED

THIS IS NOT A
BOUNDARY SURVEY

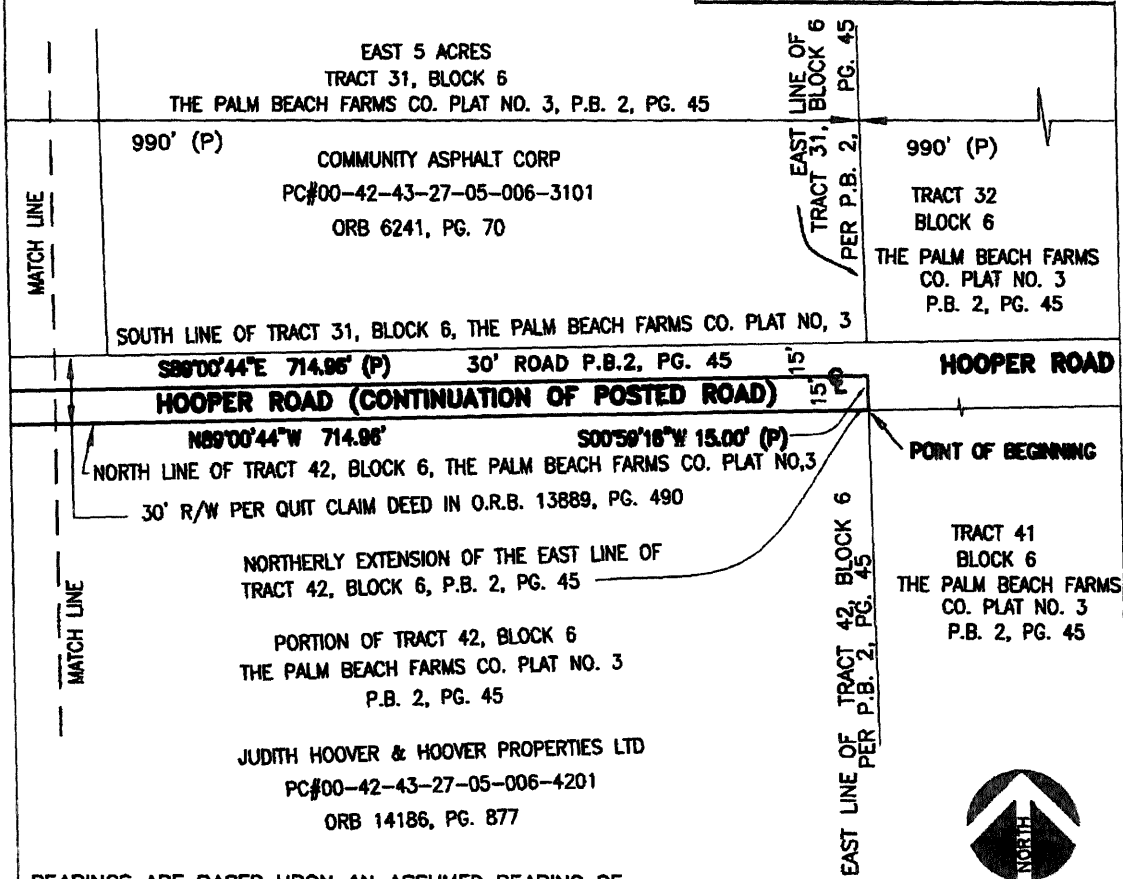
NOTE:
This drawing is not valid without embossed seal or Digital Signature of Surveyor
Richard N Dean
Date: 2020.11.05
23:08:47 -05'00'

RICHARD N. DEAN
Professional Land Surveyor
Florida Certificate No. 4406
L.B. 6936

Dean Surveying & Mapping, Inc.
"The Measuring Line Shall Go Forth"
Jeremiah 31:39
4201 Westgate Ave., Suite A-3
West Palm Beach, Florida 33409
Tel: (561)625-8748 Fax (561)626-4558

REV.: 11/5/20	DATE: 10/09/20
DRAWN: M.R.	SCALE: 1" = 60'
SHEET: 2 OF 3	JOB NO: 019-1012-R/W

EXHIBIT "A"



BEARINGS ARE BASED UPON AN ASSUMED BEARING OF N89°00'44"W ALONG THE NORTH LINE OF TRACT 42, BLOCK 6 OF THE PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45.



1"=60'

LEGEND

R/W = RIGHT-OF-WAY
O.R.B. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
PG. = PAGE
(P) = PLAT-P.B.2, PG. 45
(D) = DEED

THIS IS NOT A
BOUNDARY SURVEY

NOTE:
This drawing is not valid without embossed seal or Digital Signature of Surveyor
Richard N Dean
Richard N Dean
Date: 2020.11.05
23:09:10 -05'00'

RICHARD N. DEAN
Professional Land Surveyor
Florida Certificate No. 4406
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Tel: (561)625-8748 Fax (561)626-4558

REV.: 11/5/20	DATE: 10/09/20
DRAWN: M.R.	SCALE: 1" = 60'
SHEET: 3 OF 3	JOB NO: 019-1012-R/W