

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	0	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund Dept Unit Object

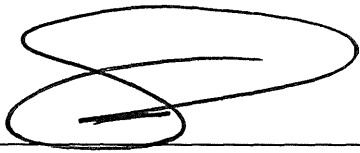
Is Item Included in Current Budget? Yes ____ No ____

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

Reporting Category N/A

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

No Fiscal Impact.



C. Department Fiscal Review: _____ **CS**

III. REVIEW COMMENTS

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

Releghn Kanner 2/5/21
 OFMB BR 2/5
 DC/HT

Jan J. Jacoby 2/8/21
 Contract Development and Control
 2-8-21 TW

B. Legal Sufficiency:

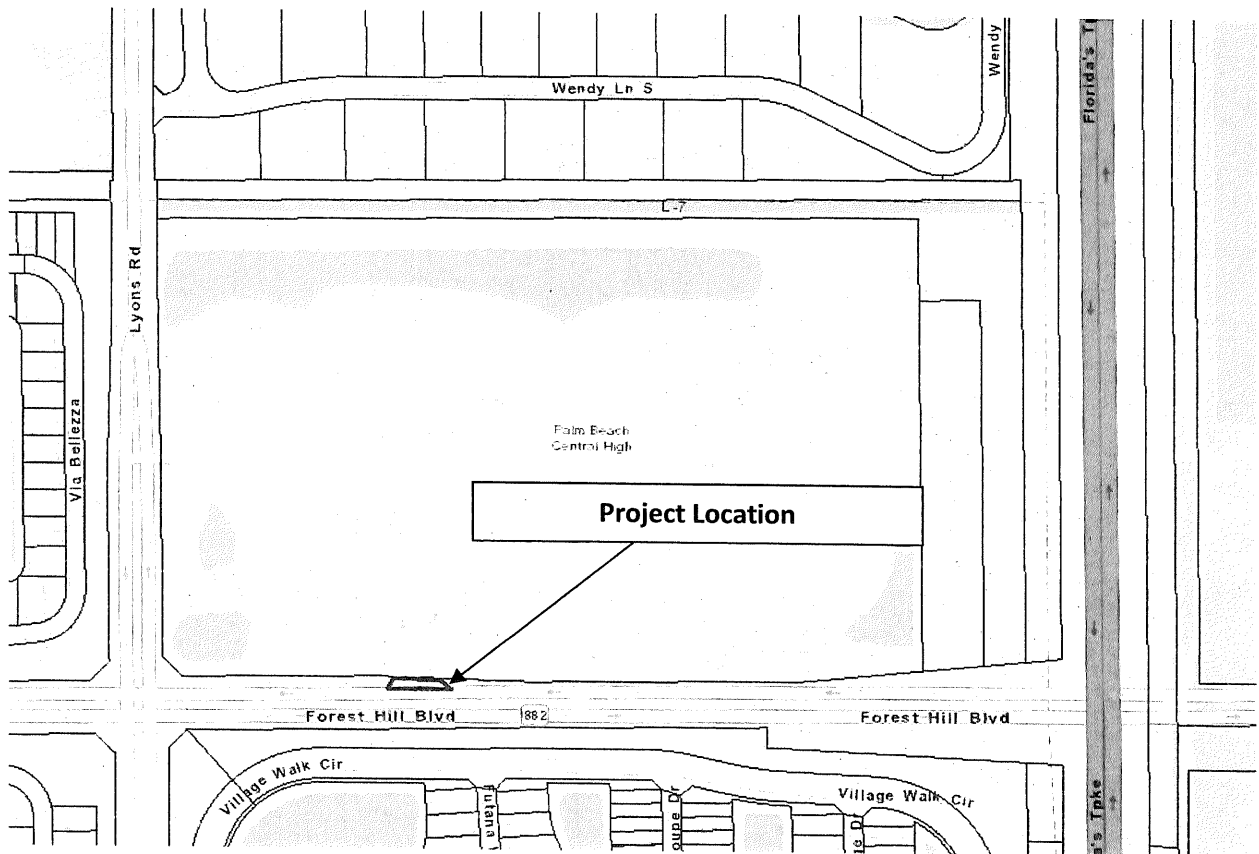
(Signature) 2/9/21
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

ATTACHMENT 1
Location Map



23-UTL.02-07/18
Modified for Palm Beach County

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq.
District Four Assistant General Counsel

Legal Description prepared by:

Luis A. Gaztambide, P.S.M. (07-24-2020)

Document prepared by:

Grace K. Abel (07-28-2020)

Florida Department of Transportation
Right of Way Production Services
3400 W. Commercial Boulevard
Fort Lauderdale, Florida 33309

Parcel No.	100.4
Item/Segment No.	4416331
Section:	93016-2449
Managing District:	04
S.R. No.	882 (Forest Hill Boulevard)
County:	Palm Beach

SUBORDINATION OF COUNTY UTILITY INTERESTS

THIS AGREEMENT entered into this _____ day of _____, 20____, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter called the FDOT, and **PALM BEACH COUNTY, a Political Subdivision of the State of Florida**, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS the COUNTY presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the COUNTY to the FDOT; and

WHEREAS the FDOT is willing to pay to have the COUNTY'S facilities relocated if necessary, to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, COUNTY and FDOT agree as follows:

COUNTY subordinates to the interest of FDOT its successors and assigns, any and all of its interest in the lands as follows, viz:

Parcel No. 100

Item/Segment No. 4416331

A portion of land in Section 8, Township 44 South, Range 42 East, Palm Beach County, Florida, as shown on the Parcel Sketch for Financial Project No. 4416331, being more particularly described as follows:

Commence at the most Southerly Southeasterly corner of Tract B-1, BUENA VIDA, according to the plat thereof, as recorded in Plat Book 97, Page 114, of the Public Records of Palm Beach County, Florida; thence South 00°57'51" East, a distance of 57.00 feet to a point on the Baseline of Survey of State Road 882 (Forest Hill Boulevard); thence North 89°02'09" East along said Baseline of Survey of State Road 882 (Forest Hill Boulevard), a distance of 854.76 feet; thence North 00°57'51" West along a line at a right angle to the last described course, a distance of 64.89 feet to a point on the Northerly Existing Right of Way line of said State Road 882 (Forest Hill Boulevard) and the POINT OF BEGINNING: thence North 69°38'20" East, a distance of 20.72 feet; thence North 89°08'39" East, a distance of 259.66 feet; thence South 78°31'30" East, a distance of 38.11 feet; thence North 53°07'02" East, a distance of 71.82 feet; thence North 00°30'56" West, a distance of 16.61 feet; thence North 89°57'08" East, a distance of 85.68 feet; thence South 00°03'32" East, a distance of 24.05 feet; thence South 55°54'29" East, a distance of 44.67 feet; thence North 89°04'31" East, a distance of 232.48 feet; thence South 77°32'37" East, a distance of 51.23 feet; thence South 89°41'03" East, a distance of 232.75 feet to a point on said Northerly Existing Right of Way line of State Road 882 (Forest Hill Boulevard); thence South 83°54'45" West along said Northerly Existing Right of Way line of State Road 882 (Forest Hill Boulevard), a distance of 5.39 feet; thence South 89°02'09" West along said Northerly Existing Right of Way line of State Road 882 (Forest Hill Boulevard), a distance of 708.97 feet; thence continue North 88°40'24" West along said Northerly Existing Right of Way line of State Road 882 (Forest Hill Boulevard), a distance of 297.48 feet to the POINT OF BEGINNING.

Containing 18,020 square feet, more or less.

(More particularly described in the sketch and legal description attached hereto as Exhibit "A")

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R.B. & PG.
Utility Easement	11/02/2001	The School Board of Palm Beach County	Palm Beach County	13087 / 0756
Utility Easement	01/22/2002	The School Board of Palm Beach County	Palm Beach County	13494 / 0916
Utility Easement	08/06/2003	The School Board of Palm Beach County	Palm Beach County	15652 / 1666
Utility Easement	08/20/2003	The School Board of Palm Beach County	Palm Beach County	15748 / 1722

PROVIDED that the COUNTY has the following rights:

1. The COUNTY shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the FDOT'S current minimum standards for such facilities as required by the FDOT, Utility Accommodation Manual in the effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the FDOT. Should the FDOT fail to approve any new construction or relocation of facilities by the COUNTY or require the COUNTY to alter, adjust, or relocate its facilities located within said lands, the FDOT hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The COUNTY shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the FDOT's facilities.
4. The COUNTY agrees to repair any damage to FDOT facilities, and, to the extent permitted by law, to indemnify the FDOT against any loss or damage resulting from the COUNTY exercising its rights outlined in Paragraphs 1 and 3 above. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes, nor as a waiver of any defense the COUNTY may have under said statute, nor shall the same be construed to constitute agreement by the COUNTY to indemnify the FDOT for FDOT's negligent, willful or intentional acts or omissions, nor as consent to be sued by third parties.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Signed, sealed and delivered in the presence
of: (Two witnesses required by Florida Law)

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

Witness Signature:

BY: _____
Name: **GERRY O'REILLY, P.E.**
District Four Secretary

Print Witness Name:

Attorney approved as to form:

Witness Signature:

Name: **ELIZABETH S. QUINTANA**

Print Witness Name:

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of _____ physical presence or
_____ online notarization, this _____ day of _____, 20____, by **GERRY O'REILLY,**
P.E., District Four Secretary, who is personally known by me or who has produced _____
as identification.

(SEAL)

Notary Public

Printed or stamped name of Notary Public

My Commission Expires: _____

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

ATTEST:
Joseph Abruzzo,
Clerk of the Circuit Court & Comptroller

By: _____
(Deputy Clerk)

By: _____
DAVE KERNER
Mayor

APPROVED AS TO TERMS AND
CONDITIONS

By:  _____
Director of Utilities

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
(County Attorney)

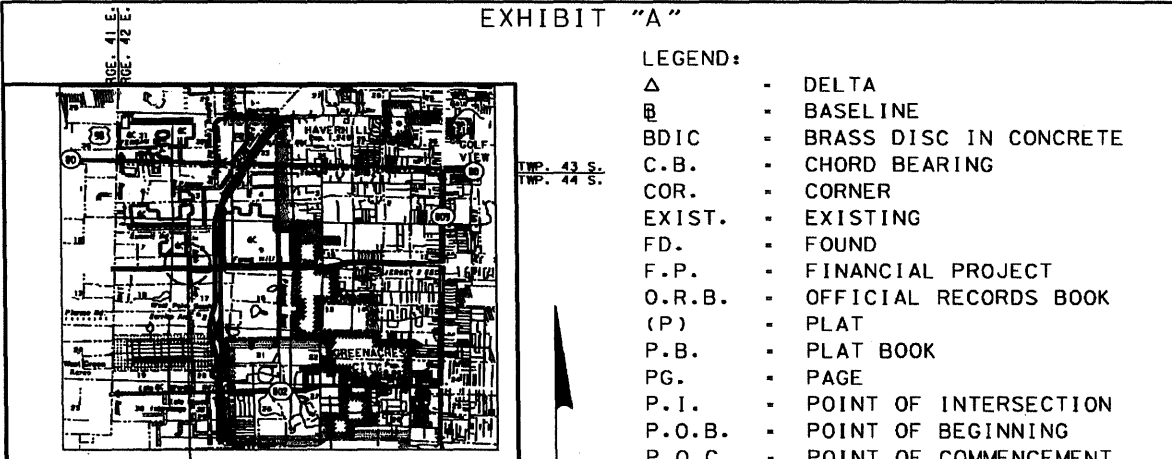
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of _____ physical presence or
_____ online notarization, this _____ day of _____, 20____, by
DAVE KERNER, Mayor, Board of County Commissioners, who is personally known to me or who has
produced as identification and who did not take an oath.

Typed name of Acknowledger
Deputy Clerk

EXHIBIT "A"



- LEGEND:
- Δ - DELTA
 - B - BASELINE
 - BDIC - BRASS DISC IN CONCRETE
 - C.B. - CHORD BEARING
 - COR. - CORNER
 - EXIST. - EXISTING
 - FD. - FOUND
 - F.P. - FINANCIAL PROJECT
 - O.R.B. - OFFICIAL RECORDS BOOK
 - (P) - PLAT
 - P.B. - PLAT BOOK
 - PG. - PAGE
 - P.I. - POINT OF INTERSECTION
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - RGE. - RANGE
 - RR - RAILROAD
 - SEC. - SECTION
 - S.R. - STATE ROAD
 - STA. - STATION
 - TWP. - TOWNSHIP

VICINITY MAP
N.T.S.
PARCEL LOCATION

GENERAL NOTES:

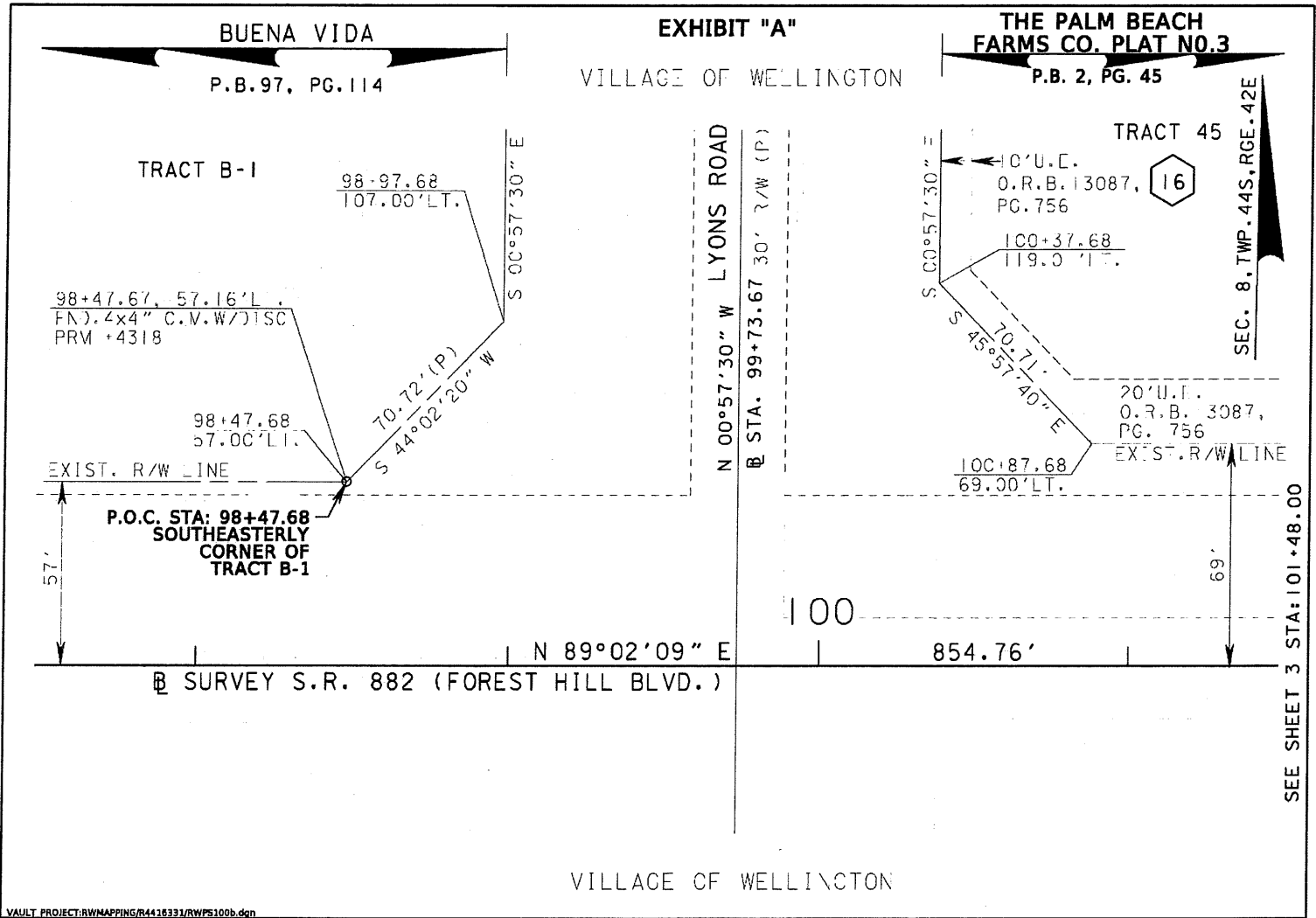
- 1) BEARINGS AND COORDINATES ARE RELATIVE TO STATE PLANE COORDINATE TRANSVERSE MERCATOR PROJECTION, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT), (GRID OR TRUE) NORTH, BEING THE BEARING OF N 89°20'27" E AS ESTABLISHED BETWEEN CONTROL STATIONS C1 AND C2 AS SHOWN ON P.N.C. SHEETS.
2. THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
3. ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.

PARCEL 100 - THE SCHOOL BOARD OF
PALM BEACH COUNTY, FLORIDA
AREA - 18,020 SQUARE FEET

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
SURVEYING AND MAPPING
3400 WEST COMMERCIAL BOULEVARD
FT. LAUDERDALE, FL 33309
(954) 777-4550

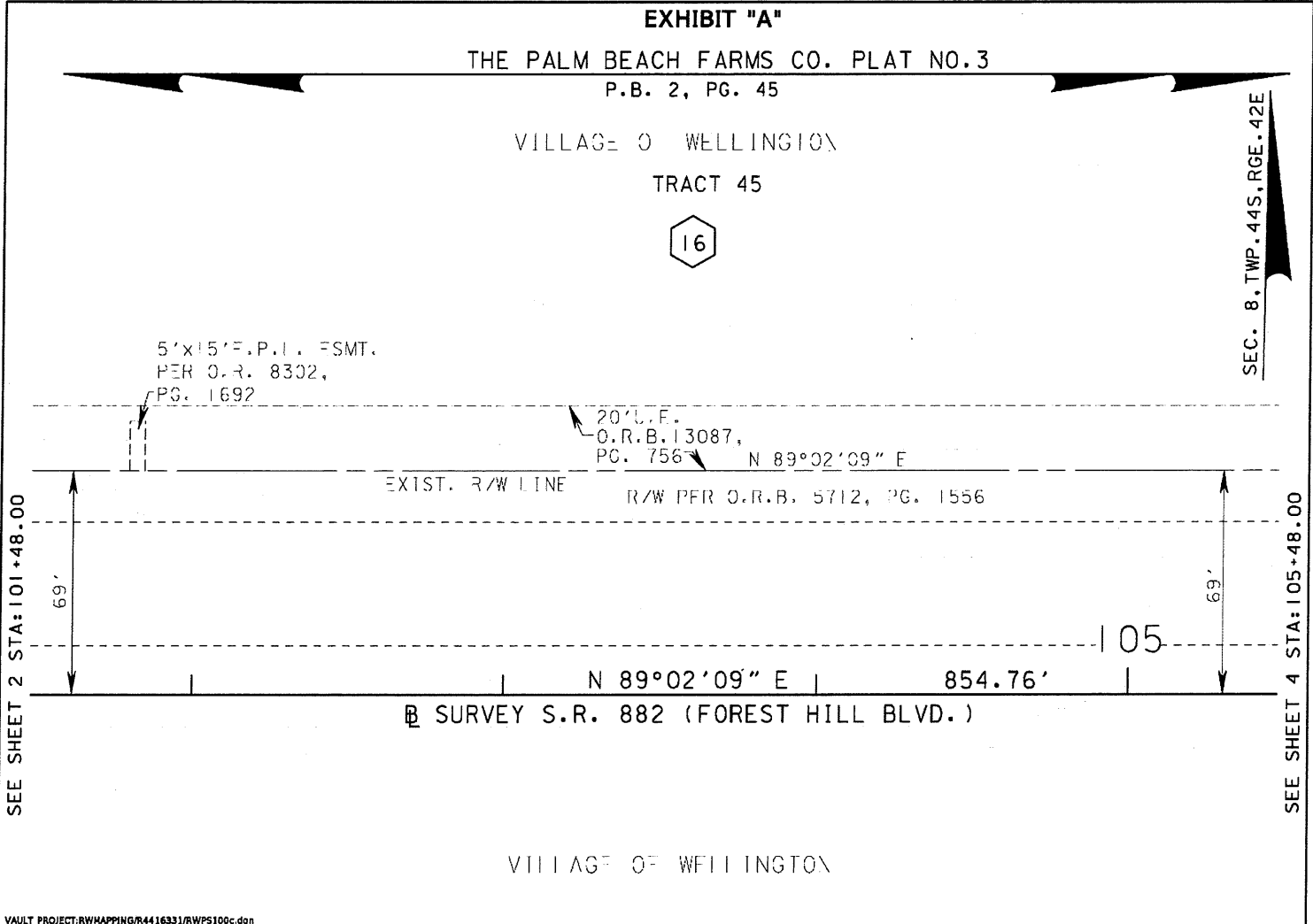
VAULT PROJECT:RWMAPPING/R4416331/RWPS100a.dgn

		FLORIDA DEPARTMENT OF TRANSPORTATION			
		PARCEL SKETCH - NOT A SURVEY			
		STATE ROAD NO. 882 (FOREST HILL BLVD)		PALM BEACH COUNTY	
		BY	DATE	PREPARED BY:	SCALE:
VOID P.800,ADD P.100	SANCHEZ	07/24/20	06/01/20	F.D.O.T. DISTRICT 4	NOT TO SCALE
REVISION	BY	DATE	CHECKED	LUI S G.	06/11/20
			F.P. NO. 4416331	SECTION 93016-2449	SHEET 1 OF 8



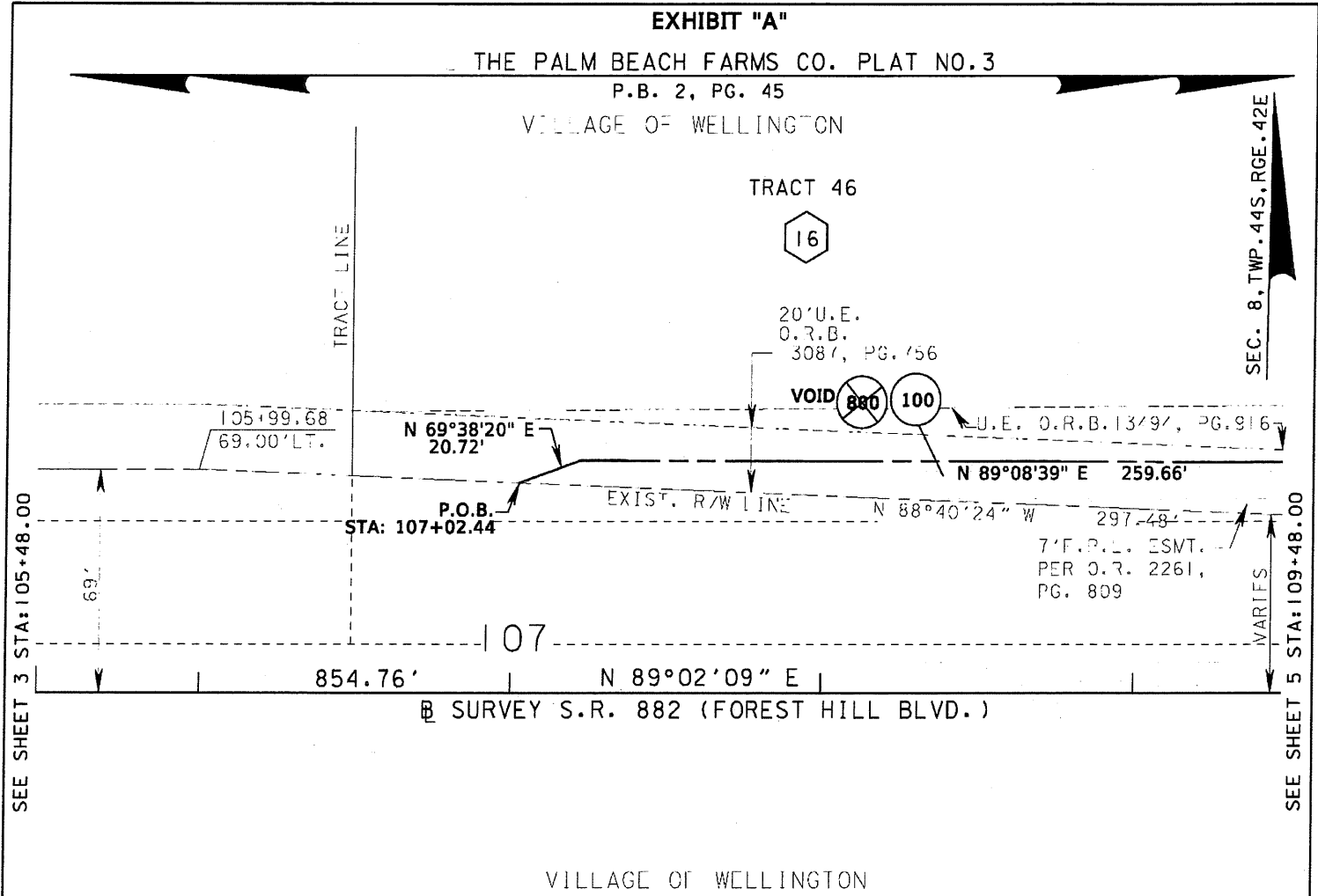
VAULT PROJECT: R\W\MAPPING\B4416331\RWFS100b.dgn

FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH NOT A SURVEY		STATE ROAD NO. 882 (FOREST HILL BLVD)				PALM BEACH COUNTY	
		VOID P.800, ADD P.100 <small>REVISION</small>	SANCHEZ <small>BY</small>	07/24/20 <small>DATE</small>	DRAWN SANCHEZ <small>CHECKED</small>	06/01/20 <small>DATE</small>	PREPARED BY: F.D.O.T. DISTRICT 4 <small>SCALE: 1"=40'</small>



VAULT PROJECT: RWHAPPING/R4416331/RWPS100c.dgn

FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH NOT A SURVEY			STATE ROAD NO. 882 (FOREST HILL BLVD)		PALM BEACH COUNTY	
			BY	DATE	PREPARED BY:	SCALE:
	VOID P.800, ADD P.100	SANCHEZ	07/24/20	DRAWN	SANCHEZ	06/01/20
REVISION	BY	DATE	CHECKED	LUIS G.	06/11/20	F.P. NO. 4416331
					SECTION 93016-2449	SHEET 3 OF 8



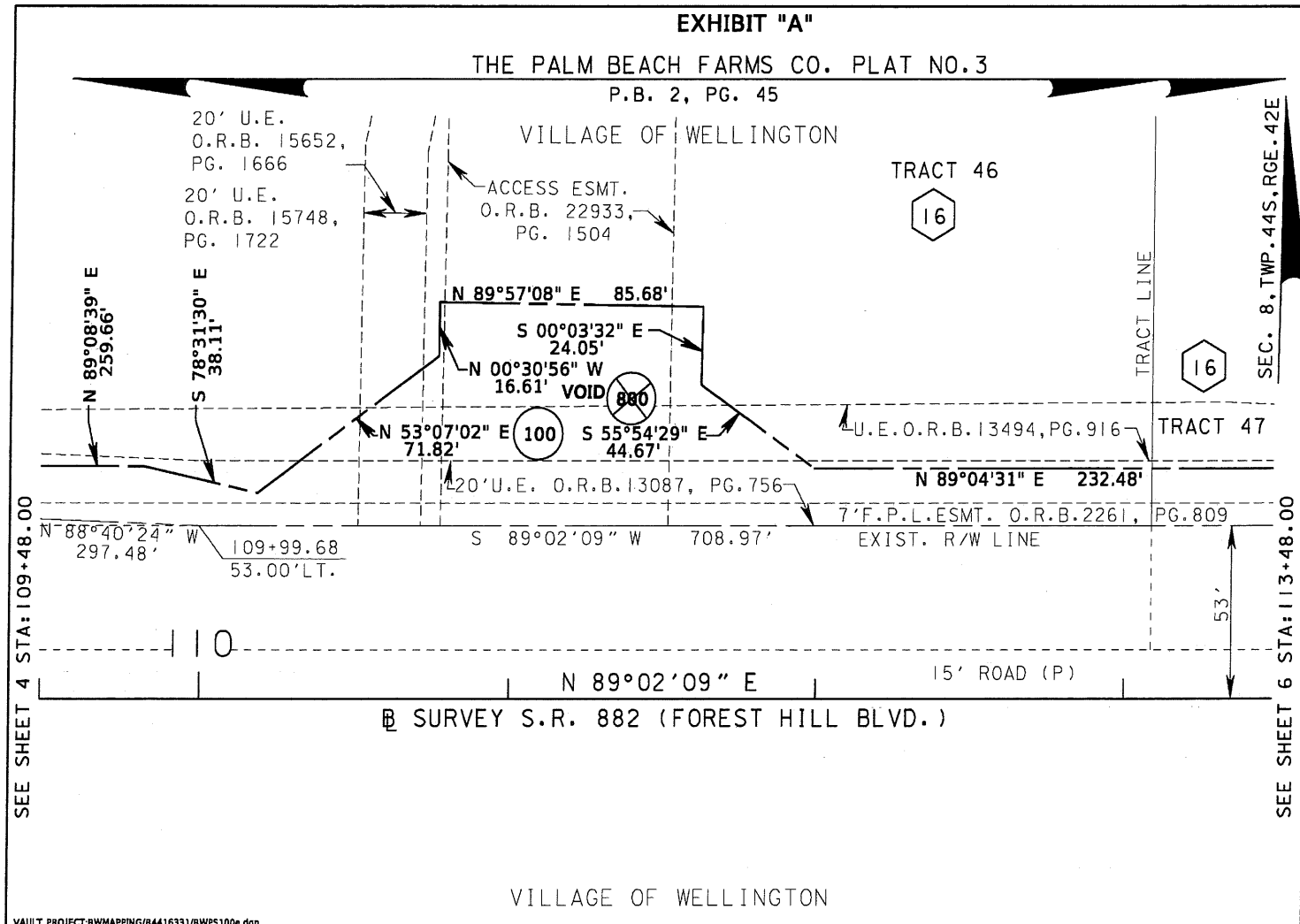
VAULT PROJECT: RWMAPPING/R4416331/RWPS100d.dgn

FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH NOT A SURVEY				STATE ROAD NO. 882 (FOREST HILL BLVD)		PALM BEACH COUNTY	
				BY	DATE	PREPARED BY:	
				DRAWN	SANCHEZ	06/01/20	F.D.O.T. DISTRICT 4
				CHECKED	LUIS G.	06/11/20	F.P. NO. 4416331
REVISION			BY			DATE	
						SCALE: 1"=40'	SECTION 93016-2449 SHEET 4 OF 8

EXHIBIT "A"

THE PALM BEACH FARMS CO. PLAT NO.3

P.B. 2, PG. 45



SEE SHEET 4 STA: 109+48.00

SEE SHEET 6 STA: 113+48.00

Page 10 of 13

VILLAGE OF WELLINGTON

VAULT PROJECT: RWMAPPING/R4416331/RWPS100e.dgn

FLORIDA DEPARTMENT OF
TRANSPORTATION
PARCEL SKETCH
NOT A SURVEY

			STATE ROAD NO. 882 (FOREST HILL BLVD)			PALM BEACH COUNTY		
			BY	DATE	PREPARED BY:		SCALE:	
			DRAWN	SANCHEZ	06/01/20	F.D.O.T. DISTRICT 4		1"=40'
VOID P.800,ADD P.100	SANCHEZ	07/24/20	CHECKED	LUIS G.	06/11/20	F.P. NO. 4416331	SECTION 93016-2449	SHEET 5 OF 8
REVISION	BY	DATE						

EXHIBIT "A"

THE PALM BEACH FARMS CO. PLAT NO.3

P.B. 2, PG. 45

VILLAGE OF WELLINGTON

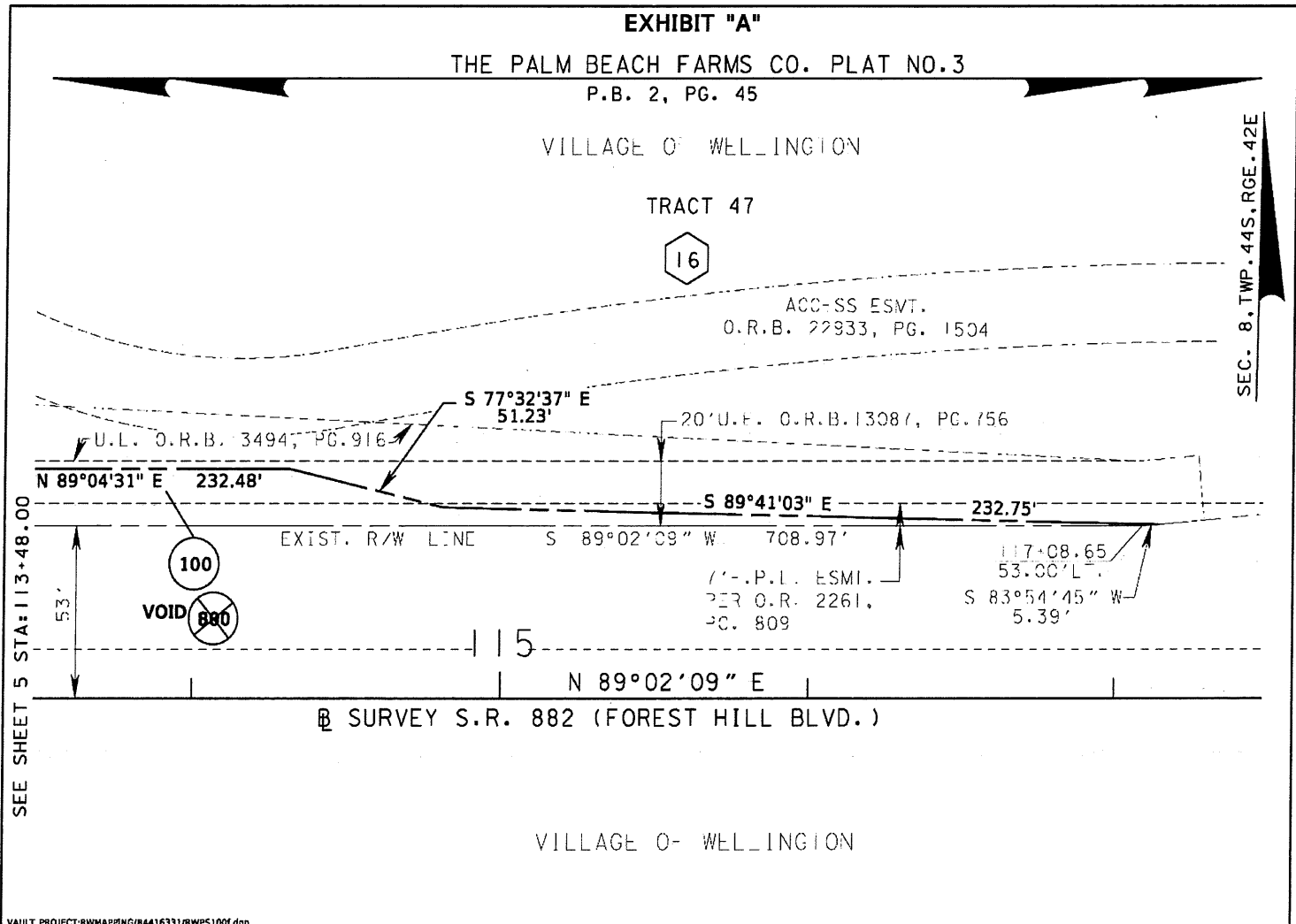
TRACT 47

16

ACC-SS ESMT.

O.R.B. 22833, PG. 1504

SEC. 8, TWP. 44S, RGE. 42E



SEE SHEET 5 STA: 113+48.00

100
VOID 880

EXIST. R/W LINE

S 89°02'09" W 708.97'

117+08.65
53.00' L.
P.L. ESMT.
PER O.R. 2261,
P.C. 809

S 83°54'45" W
5.39'

N 89°02'09" E
SURVEY S.R. 882 (FOREST HILL BLVD.)

VILLAGE OF WELLINGTON

VAULT PROJECT: RWMAPPING/R4416331/RWPS1001.dgn

FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL SKETCH NOT A SURVEY		STATE ROAD NO. 882 (FOREST HILL BLVD)				PALM BEACH COUNTY	
		BY	DATE	PREPARED BY:	SCALE:		
VOID P.800, ADD P.100	SANCHEZ	07/24/20	DRAWN SANCHEZ	06/01/20	F.D.O.T. DISTRICT 4	1"=40'	
REVISION	BY	DATE	CHECKED	LUIS G.	06/11/20	F.P. NO. 4416331 SECTION 93016-2449 SHEET 6 OF 8	

EXHIBIT "A"

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Containing 18,020 square feet, more or less.

VAULT PROJECT:RWMAPPING/R4416331/RWPS100g.dgn

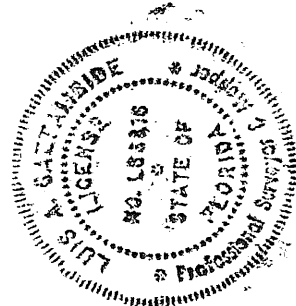
			FLORIDA DEPARTMENT OF TRANSPORTATION				
			PARCEL SKETCH - NOT A SURVEY				
			STATE ROAD NO. 882 (FOREST HILL BLVD)		PALM BEACH COUNTY		
			BY	DATE	PREPARED BY:	SCALE:	
			DRAWN	SANCHEZ	06/01/20	F.D.O.T. DISTRICT 4	NOT TO SCALE
VOID P.800,ADD P.100	SANCHEZ	07/24/20	CHECKED	LUIS G.	06/11/20	F.P. NO. 4416331	SECTION 96016-2449
REVISION	BY	DATE				SHEET 7 OF 8	

EXHIBIT "A"

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECTION AND THAT IT IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


 _____ 06/16/20
 LUIS A. GAZTAMBIDE, PSM DATE

FLORIDA SURVEYOR AND MAPPER NO. 6816
 FLORIDA DEPARTMENT OF TRANSPORTATION
 3400 WEST COMMERCIAL BOULEVARD
 FORT LAUDERDALE, FLORIDA 33309



NOT VALID UNLESS SIGNED AND SEALED

VAULT PROJECT:RWMAPPING/R4416331/RWPS100g.dgn

			FLORIDA DEPARTMENT OF TRANSPORTATION			
			PARCEL SKETCH - NOT A SURVEY			
			STATE ROAD NO. 882 (FOREST HILL BLVD)		PALM BEACH COUNTY	
			BY	DATE	PREPARED BY:	SCALE:
					F.D.O.T. DISTRICT 4	NOT TO SCALE
VOID P.800.ADD P.100	SANCHEZ	07/24/20	DRAWN	SANCHEZ	06/01/20	F.P. NO. 4416331
REVISION	BY	DATE	CHECKED	LUIS G.	06/11/20	
						SHEET 8 OF 8