

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: August 17, 2021 Consent Regular
 Workshop Public Hearing

Submitted By: Department of Airports

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Declaration of Easement (Declaration) for water utility improvements serving County-owned property at the Palm Beach International Airport (PBI).

Summary: The Palm Beach County Water Utilities Department (WUD) is requesting the Declaration to memorialize the existence of water transmission and distribution facilities on a portion of PBI and provides for the installation, operation and maintenance of these facilities. Countywide (AH)

Background and Justification: As part of the Northeast Airfield Improvements Project at PBI (PB 19-3), a portion of WUD's water transmission and distribution facilities were relocated (WUD Project No. 19-532). The Declaration encompasses a 1,873.61 linear feet portion of water line that was relocated within the secured airfield fence at PBI. The Declaration will be recorded in the public records to memorialize the existence of water transmission and distribution facilities on County-owned property.

Attachments:

- 1. Declaration of Easement

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Recommended By: Paul Anna Beebe 7-20-21
 Department Director Date

Approved By: Del J. Blum 8/6/2021
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

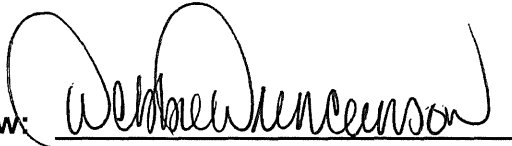
Fiscal Years	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____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

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

Budget Account No: Fund _____ Department _____ Unit _____ RSource _____
 Reporting Category _____

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


No fiscal impact.



C. Departmental Fiscal Review:

III. REVIEW COMMENTS


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


 OFMB 7/22/21
 7/22/21

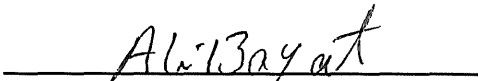
8/3/21

 Contract Dev. and Control
 8-3-21 TW

B. Legal Sufficiency:


 for Anne McFart
 Assistant County Attorney 8/3/21

C. Other Department Review:


 Department Director

REVISED 11/17

(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

Portions of PCNs 00-43-43-31-01-001-0010
and 00-43-43-32-00-000-1090

WUD Project No. 19-532
DOA Project: Northeast Airfield Improvements (PBI) PB 19-3

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF 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 water utility easement for the benefit of County upon the property legally described in Exhibit "A" attached hereto (the "Easement Premises"). This easement shall be for the sole purpose of water utilities 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 water transmission and distribution 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 Airport property upon the conveyance thereof by County notwithstanding County's failure to specifically reserve or reference such easement in the instrument of conveyance.

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

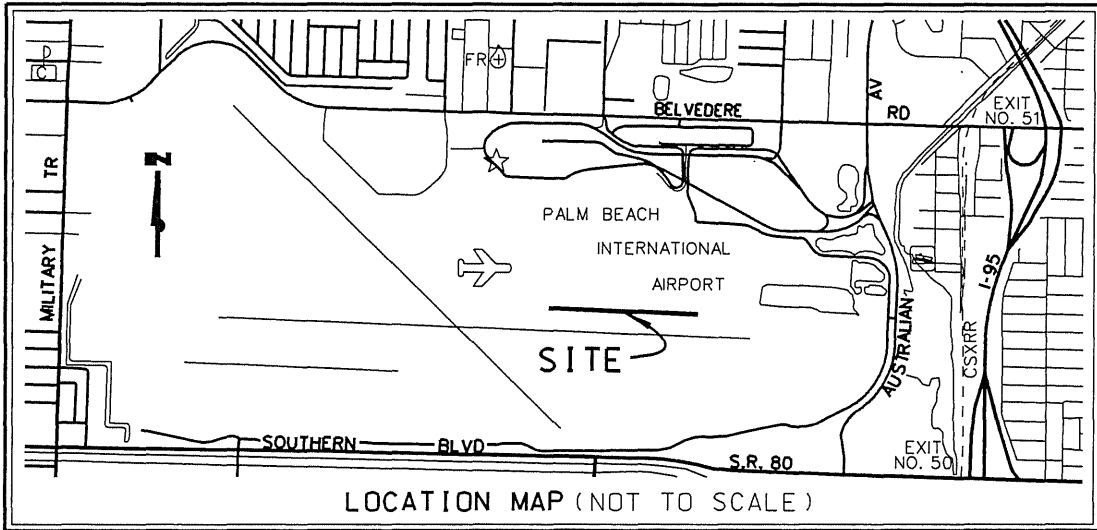
**APPROVED AS TO TERMS AND
CONDITIONS**

By: *Rui Paula Buke*
Department Director

EXHIBIT "A"

20' UTILITY EASEMENT
P.B.I.A. NORTHEAST
AIRFIELD IMPROVEMENTS PROJECT

SECTION 31 & 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST



LOCATION MAP (NOT TO SCALE)

LEGAL DESCRIPTION

A PARCEL OF LAND 20 FEET IN WIDTH FOR UTILITY EASEMENT PURPOSES LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, SITUATED ON THE AIRFIELD AT PALM BEACH INTERNATIONAL AIRPORT, IN A PORTION OF SECTIONS 31 AND 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE NORTH $88^{\circ}22'59''$ WEST ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 701.67 FEET; THENCE AT RIGHT ANGLES TO SAID SECTION LINE SOUTH $01^{\circ}37'01''$ WEST, A DISTANCE OF 2,623.72 FEET TO THE POINT OF BEGINNING, THENCE NORTH $50^{\circ}22'36''$ EAST, A DISTANCE OF 12.07 FEET; THENCE SOUTH $88^{\circ}04'39''$ EAST, A DISTANCE OF 1,502.45 FEET; THENCE SOUTH $42^{\circ}03'13''$ EAST, A DISTANCE OF 19.26 FEET; THENCE SOUTH $87^{\circ}25'11''$ EAST, A DISTANCE OF 328.73 FEET; THENCE SOUTH $01^{\circ}01'56''$ WEST, A DISTANCE OF 11.10 FEET TO THE POINT OF TERMINUS.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO CREATE A CONTINUOUS 20.00 FOOT EASEMENT AS SHOWN ON THE SKETCH.

PROJECT NO. 2021013-06	SHEET: 1 OF: 4	PROJECT: P.B.I.A. NORTHEAST AIRFIELD IMPROVEMENTS PROJECT 20' UTILITY EASEMENT	SCALE: 1" = 60' APPROVED: G. W. M. DRAWN: S. T. A. CHECKED: G. W. M. DATE: 06/10/21 FIELD BOOK NO.	NO.	REVISION	BY	DATE
	DESIGN FILE NAME S-1-21-4167.dgn	DRAWING NO. S-1-21-4167					

PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
 ROADWAY PRODUCTION
 2300 NORTH JOG ROAD
 WEST PALM BEACH, FLORIDA 33411

LEGEND

P.B. = PLAT BOOK
PG. = PAGE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.O.T. = POINT OF TERMINUS
P.B.C. = PALM BEACH COUNTY
R/W = RIGHT OF WAY
FDOT = FLORIDA DEPARTMENT OF
TRANSPORTATION
D.N.R. = FLORIDA DEPARTMENT OF
NATURAL RESOURCES

REF = REFERENCE
D.B. = DEED BOOK
O.R.B. = OFFICIAL RECORDS BOOK
SEC = SECTION
TWP = TOWNSHIP
RNG = RANGE
FP&L = FLORIDA POWER AND LIGHT
AKA = ALSO KNOWN AS
R.P.B. = ROAD PLAT BOOK
L.W.D.D. = LAKE WORTH DRAINAGE
DISTRICT
L.A.E. = LIMITED ACCESS EASEMENT

SURVEYOR'S REPORT

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF NORTH 88°22'59" WEST ALONG THE NORTH LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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

THIS INSTRUMENT WAS PREPARED USING INFORMATION PROVIDED BY DEPARTMENT OF AIRPORTS, NORTHEAST AIRFIELD IMPROVEMENTS PROJECT, WATERMAIN AS-BUILTS, JANUARY 2020, PREPAIRD BY RS & H, INC.

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 = 1.00003845
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS IS NOT A SURVEY

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

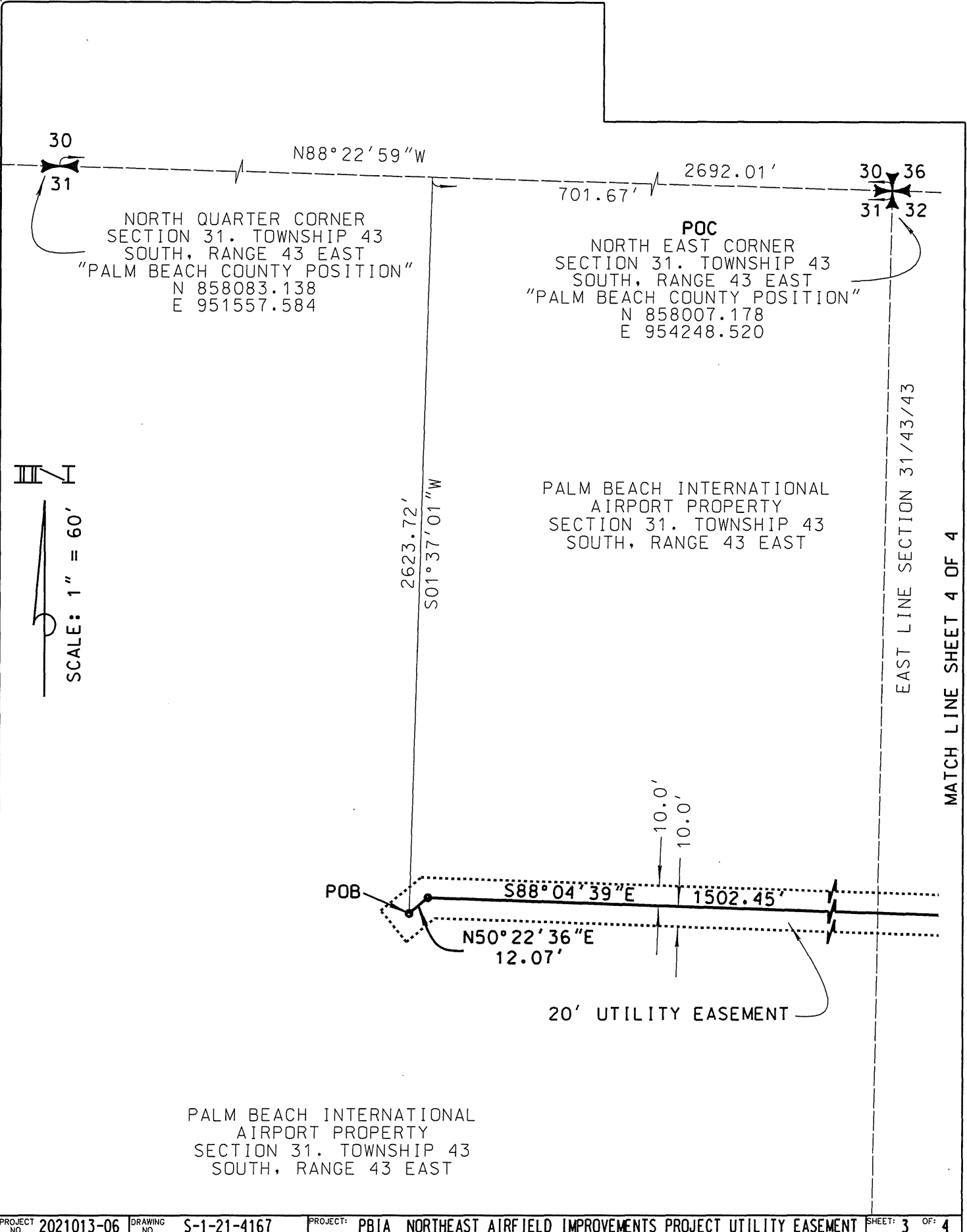
I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304

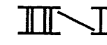
6/15/24

DATE

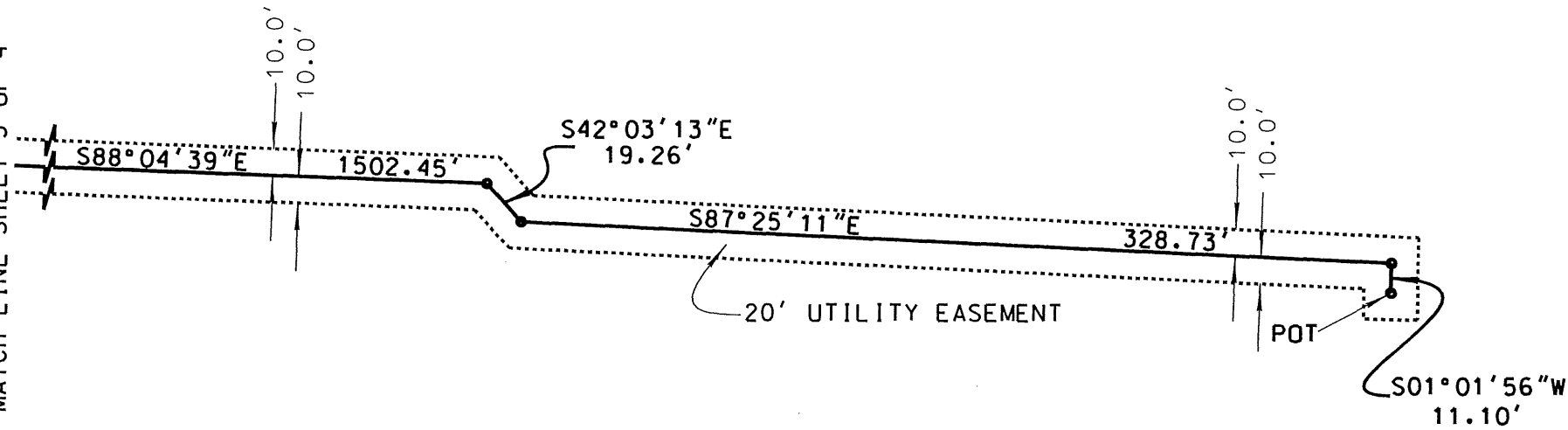


MATCH LINE SHEET 3 OF 4

PALM BEACH INTERNATIONAL
AIRPORT PROPERTY
SECTION 32. TOWNSHIP 43
SOUTH, RANGE 43 EAST



SCALE: 1" = 60'



PALM BEACH INTERNATIONAL
AIRPORT PROPERTY
SECTION 32. TOWNSHIP 43
SOUTH, RANGE 43 EAST