

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</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:

JH

No fiscal impact.

C. Departmental Fiscal Review:

William D. Benson

III. REVIEW COMMENTS

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

AST/els 7/27/22
 JH 7/27/22 OFMB
 MG 7/27/22

Ar. S. Jawley 8/2/22
 Contract Dev. and Control

B. Legal Sufficiency:

Anne Adelant 8/11/22
 Assistant County Attorney

C. Other Department Review:

Al. Bayat
 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

A portion of PCN 00-42-43-36-00-000-7120

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, joined by Airport Logistics Park, LLC (“Tenant”), whose address is 2257 Vista Parkway, #17, West Palm Beach, FL 33411.

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

WHEREAS, County and Tenant entered into that certain Development Site Lease Agreement (the “Lease”) dated March 17, 2019 (R-2019-0300, as amended), providing for Tenant’s lease and development of certain property at the Airport, as legally described in that certain First Amendment to Memorandum of Lease, recorded in Official Records Book 31357, Page 970, of the public records of Palm Beach County, Florida (the “Leased Premises”); and

WHEREAS, County desires to create an easement over, upon and under a portion of such Leased Premises (the “Easement Premises”, as defined below) for the purposes set forth hereinafter; and

WHEREAS, Tenant desires to join and consent to the creation of such easement; and

WHEREAS, County and Tenant desire 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.

W I T N E S S E T H:

NOW THEREFORE, County does hereby declare, grant and create a perpetual in gross utility easement for the benefit of County upon the real property legally described in **Exhibit “A”**, attached hereto (the “Easement Premises”). This easement shall be for the purpose of water and sewer 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 potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment 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 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:
JOSEPH ABRUZZO,
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

PALM BEACH COUNTY,
A POLITICAL SUBDIVISION OF THE
STATE OF FLORIDA, BY ITS BOARD
OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Robert S. Weinroth, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: Anne Helgert
Assistant County Attorney

By: Paul Joseph Bunker
Department Director

APPROVAL, CONSENT AND JOINDER BY TENANT:

Signed, sealed and delivered in
the presence of two witnesses
for Tenant:

AIRPORT LOGISTICS PARK, LLC
a Florida Limited Liability Company

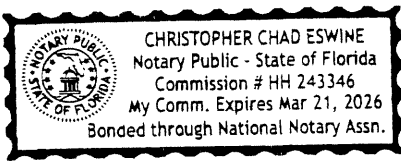
Andrew M. Jacobs
Signature
Andrew M. Jacobs
Print Name
Guillermo Lopez
Signature
Guillermo Lopez
Print Name

By: MPC Airport Logistics Park, LLC, a
Florida ~~limited liability~~ company, Its
Manager

Steven E. McCraney
By: _____
Print Name: Steven E. McCraney
Title: Manager

STATE OF FLORIDA _____)
COUNTY OF Palm Beach)

Sworn to (or affirmed) and subscribed before me by means of physical presence online notarization, this 14
day of July 2026, by Steven E. McCraney
_____, on behalf of Airport Logistics Park, LLC, who is personally known to me OR- produced _____
_____ as identification and who did take an oath.



Notary Public Christopher C. Eswine
Christopher C. Eswine
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 03/21/2026

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF PBIA PROPERTIES PARCEL RF-1 AS RECORDED IN THE AFFIDAVIT OF LOT COMBINATION AS RECORDED IN OFFICIAL RECORDED BOOK 28557, PAGE 233 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND ALSO BEING A PORTION OF THE PROPERTY DESCRIBED IN THAT CERTAIN FIRST AMENDMENT TO MEMORANDUM OF LEASE AS RECORDED IN OFFICIAL RECORDS BOOK 31357, PAGE 970, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA. THE CENTERLINE OF SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 01°22'23" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, SAID WEST LINE ALSO BEING THE CENTERLINE OF HAVERHILL ROAD, A DISTANCE OF 82.57 FEET; THENCE DEPARTING SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 36, SOUTH 88°37'37" EAST, A DISTANCE OF 50.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID HAVERHILL ROAD; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY, SOUTH 43°38'47" EAST, A DISTANCE OF 13.31 FEET; THENCE SOUTH 88°38'47" EAST, A DISTANCE OF 627.58 FEET TO THE **POINT OF BEGINNING** OF THE CENTERLINE OF A 20 FOOT UTILITY EASEMENT; THENCE CONTINUE SOUTH 88°38'47" EAST, A DISTANCE OF 360.00 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "A"; THENCE CONTINUE SOUTH 88°38'47" EAST, A DISTANCE OF 284.49 FEET; THENCE SOUTH 43°38'13" EAST, A DISTANCE OF 33.94 FEET; THENCE SOUTH 01°22'20" WEST, A DISTANCE OF 2.73 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "B"; THENCE CONTINUE SOUTH 01°22'20" WEST, A DISTANCE OF 458.41 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "C"; THENCE CONTINUE SOUTH 01°22'20" WEST, A DISTANCE OF 420.54 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "D"; THENCE CONTINUE SOUTH 01°22'20" WEST, A DISTANCE OF 18.50 FEET; THENCE NORTH 88°37'37" WEST, A DISTANCE OF 318.34 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT.

THENCE CONTINUE SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "A"; THENCE SOUTH 01°22'23" WEST, A DISTANCE OF 36.25 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "E"; THENCE CONTINUE SOUTH 01°22'23" WEST, A DISTANCE OF 411.45 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "F"; THENCE CONTINUE SOUTH 01°22'23" WEST, A DISTANCE OF 15.68 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "G"; THENCE CONTINUE SOUTH 01°22'23" WEST, A DISTANCE OF 422.15 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "H"; THENCE CONTINUE SOUTH 01°22'23" WEST, A DISTANCE OF 5.64 FEET; THENCE SOUTH 28°17'08" WEST, A DISTANCE OF 21.72 FEET; THENCE SOUTH 01°24'21" WEST, A DISTANCE OF 10.53 FEET TO A POINT TO BE KNOWN HEREAFTER AS POINT "I"; THENCE CONTINUE SOUTH 01°24'21" WEST, A DISTANCE OF 283.11 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT.

THENCE START CENTERLINE OF A 15 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "B"; THENCE NORTH 88°37'37" WEST, A DISTANCE OF 25.29 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 15 FOOT UTILITY EASEMENT.

1 OF 7	SHEET
A-18-019	JOB NUMBER
01/22/2022	DATE
N/A	FIELD REVISIONS
N/A	DATE
T. C. MULLIN	DRAWN BY
G. F. WILLIAMS	APPROVED BY

BY:	DATE:	REVISIONS
T.C.M.	05/12/22	ADD'D CNTY'S 2nd COMMENTS
T.C.M.	03/02/22	ADD'D CNTY'S COMMENTS

LEGAL DESCRIPTION AND SKETCH OF WATER UTILITY EASEMENT FOR AIRPORT LOGISTICS PARK



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

EXHIBIT "A"

LEGAL DESCRIPTION CONTINUED

THENCE COMMENCING AT THE AFOREMENTIONED POINT "C"; THENCE SOUTH 88°37'37" EAST, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**, AND THIS PORTION OF UTILITY EASEMENT; THENCE CONTINUE SOUTH 88°37'37" EAST, A DISTANCE OF 8.67 FEET; THENCE SOUTH 43°02'46" EAST, A DISTANCE OF 12.68 FEET; THENCE SOUTH 01°22'23" WEST, A DISTANCE OF 10.94 FEET; THENCE NORTH 88°37'37" WEST, A DISTANCE OF 17.54 FEET; THENCE NORTH 01°22'20" EAST, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**.

THENCE START CENTERLINE OF A 17 FOOT UTILITY EASEMENT AT THE FOREMENTIONED POINT "D"; THENCE NORTH 88°37'37" WEST, A DISTANCE OF 18.90 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 17 FOOT UTILITY EASEMENT.

THENCE START SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "E"; THENCE SOUTH 88°37'37" EAST, A DISTANCE OF 25.29 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT.

THENCE START SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "F"; THENCE NORTH 88°37'37" WEST, A DISTANCE OF 64.56 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT.

THENCE START CENTERLINE OF A 10 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "G"; THENCE SOUTH 88°37'37" EAST, A DISTANCE OF 16.97 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 10 FOOT UTILITY EASEMENT.

THENCE START CENTERLINE OF A 20 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "H"; THENCE SOUTH 88°37'37" EAST, A DISTANCE OF 21.68 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT.

THENCE START SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT AT THE AFOREMENTIONED POINT "I"; THENCE NORTH 88°37'37" WEST, A DISTANCE OF 332.37 FEET TO THE **POINT OF TERMINUS** OF THIS PORTION OF SAID CENTERLINE OF A 20 FOOT UTILITY EASEMENT.

SHEET: 2 OF 7	JOB NUMBER: A18-019	DATE:	01/22/2022
		BY:	G. P. WILLIAMS
DRAWN BY: T. C. MULLIN		DATE:	N/A
CHECKED BY: G. P. WILLIAMS		DATE:	N/A

BY:	DATE:	REVISIONS
T.C.M.	05/12/22	ADD 'D CNTY'S 2nd COMMENTS
T.C.M.	03/02/22	ADD 'D CNTY'S COMMENTS

LEGAL DESCRIPTION AND SKETCH OF WATER UTILITY EASEMENT FOR AIRPORT LOGISTICS PARK



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EXHIBIT "A"

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON REFER TO SOUTH 01°22'23" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST (STATE PLANE NAD 83/90). ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. THERE HAS BEEN A REVIEW OF THE POLICY OF THE TITLE COMMITMENT REPORT REVISION NUMBER: "1", PREPARED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NUMBER 8216615, DATED FEBRUARY 22, 2021 @ 8:00 AM, ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE; IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS SKETCH AND LEGAL DESCRIPTION.
3. THIS IS NOT A BOUNDARY SURVEY
4. THIS DESCRIPTION IS NOT VALID UNLESS ACCOMPANIED BY THE SKETCH ON SHEETS 4 THRU 7.
5. COORDINATES SHOWN HEREON ARE GRID.
 DATUM = NAD 83, 1990 ADJUSTMENT
 ZONE = FLORIDA EAST
 LINEAR UNITS = U.S. SURVEY FOOT
 COORDINATE SYSTEM: 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND (UNLESS OTHERWISE NOTED)
 PROJECT SCALE = 1.000035827
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
6. THE SIDELINES OF THE EASEMENTS SHALL BE SHORTENED OR LEGTHENED AT POINTS OF INTERSECTIN WITH OTHER EASEMENTS OR WITH A PROPERTY LINE OR AT RIGHT ANGLES TO POINT OF TERMINUS WHICHEVER IS APPLICABLE.

LAND SURVEYOR'S STATEMENT

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

F.R.S. AND ASSOCIATES, INC.

Digitally signed by Gary P. Williams
Gary P. Williams
 BY: _____ Date: 2022.05.12 10:08:46 -04'00'

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

THIS IS NOT A BOUNDARY SURVEY

3 OF 7
SHEET
TOWN NUMBER
A 18-019
DATE
01/22/2022
FILED RECORDS
N/A
DRAWN BY
T. C. MULLIN
CHECKED BY
G. P. WILLIAMS

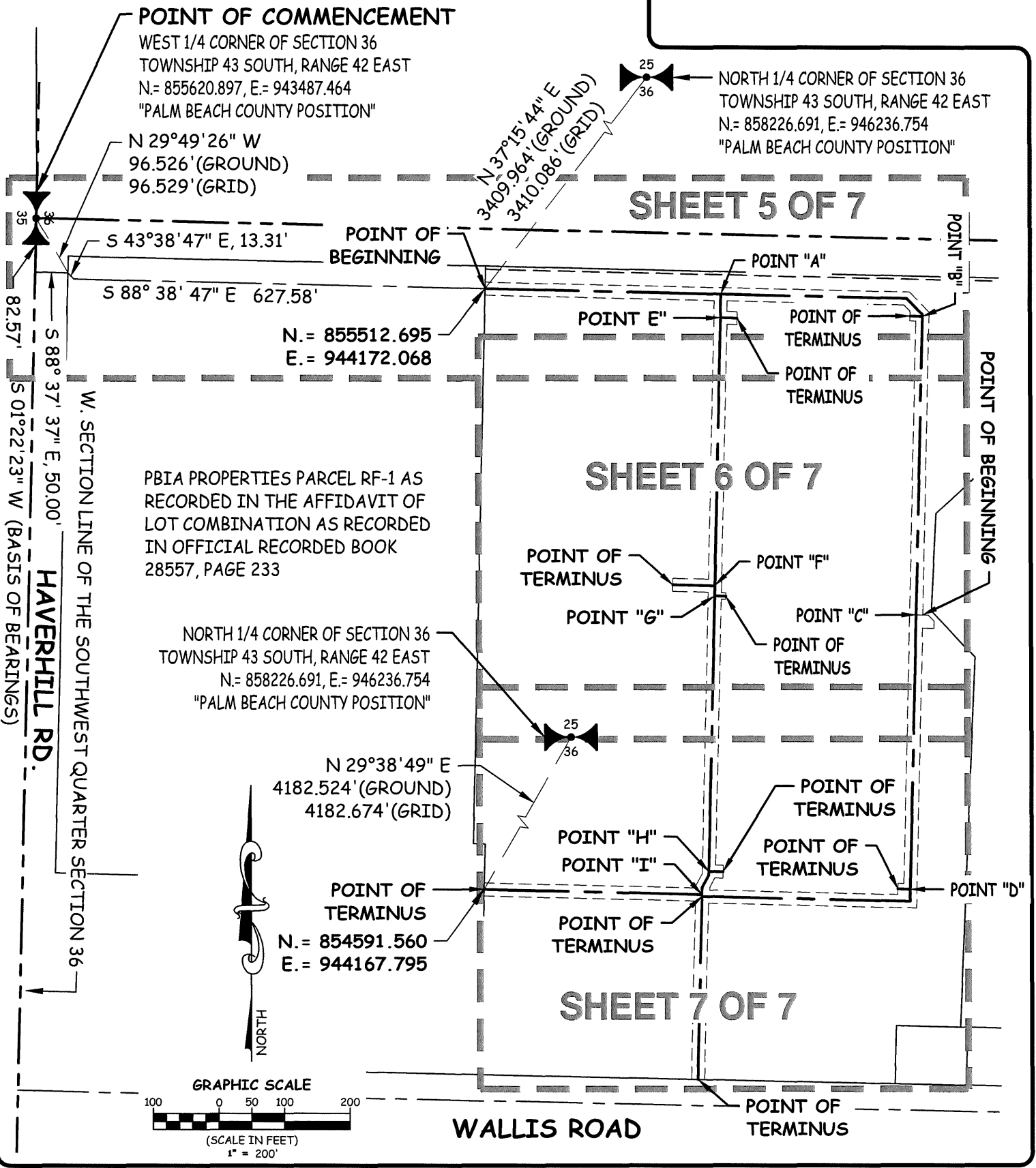
BY:	DATE:	REVISIONS
T.C.M.	05/12/22	ADD'D CNTY'S 2nd COMMENTS
T.C.M.	03/02/22	ADD'D CNTY'S COMMENTS

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EXHIBIT "A"
SKETCH KEY MAP



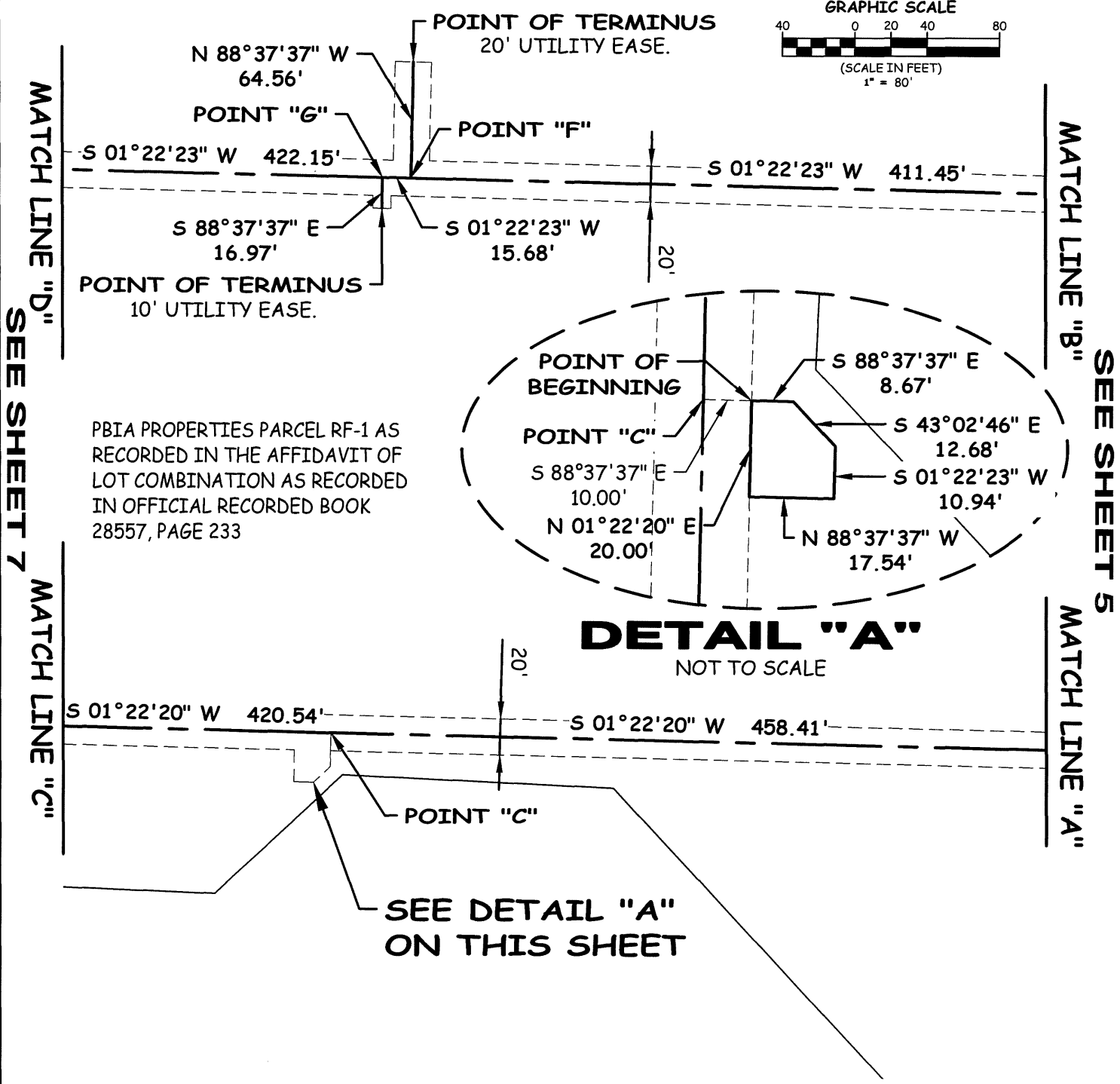
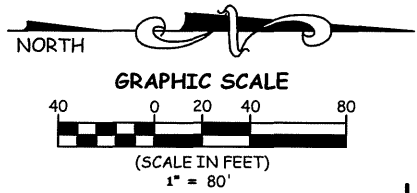
SHEET:	4 OF 7
JOB NUMBER:	A-18-019
DATE:	01/22/2022
FIELD BOOK/PAGES:	N/A
DRAWN BY:	T. C. MULLIN
APPROVED BY:	G. J. WILLIAMS
DATE:	11/20/2021

BY:	DATE:	REVISIONS:
T.C.M.	05/12/22	ADD 'D' CNTY'S 2nd COMMENTS
T.C.M.	03/02/22	ADD 'D' CNTY'S COMMENTS

LEGAL DESCRIPTION AND SKETCH OF WATER UTILITY EASEMENT FOR AIRPORT LOGISTICS PARK

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EXHIBIT "A"



6 OF 7	18-019	T.C. MULLIN
		G.P. WILLIAMS
		AS SHOWN
		01/22/2022
		N/A

BY:	DATE:	REVISIONS
T.C.M.	05/12/22	ADD'D CNTY'S 2nd COMMENTS
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EXHIBIT "A"

N 29°38'49" E
4182.524' (GROUND)
4182.673' (GRID)

PHASE 1

PHASE 2

POINT OF TERMINUS
20' UTILITY EASE.

N. = 854591.560
E. = 944167.795



NORTH 1/4 CORNER OF
SECTION 36
TOWNSHIP 43 SOUTH
RANGE 42 EAST
N. = 858226.691
E. = 946236.754
"PALM BEACH COUNTY POSITION"

PBIA PROPERTIES PARCEL RF-1 AS
RECORDED IN THE AFFIDAVIT OF
LOT COMBINATION AS RECORDED
IN OFFICIAL RECORDED BOOK
28557, PAGE 233

POINT "I"
20' UTILITY EASE.
(GOING NORTH)

S 01°24'21" W 283.11'

POINT OF TERMINUS
20' UTILITY EASE.

POINT OF TERMINUS
N. = 854580.616, E. = 944499.990
20' UTILITY EASE.

S 01°24'21" W, 10.53'

S 28°17'08" W, 21.72'

S 01°22'23" W, 5.64'

S 01°22'23" W 422.15'

POINT "H"

S 88°37'37" E, 21.68'

POINT OF TERMINUS
20' UTILITY EASE.

3.00'

N 88°37'37" W 318.34'

POINT OF
TERMINUS
17' UTILITY EASE.

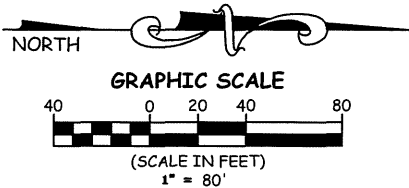
N 88°37'37" W, 18.90'

S 01°22'20" W 420.54'

S 01°22'20" W 18.50'

POINT "D"

SEE SHEET 6 MATCH LINE "C"
MATCH LINE "D"



SHEET: 7017	JOB NUMBER: A18-019
	DATE: 01/22/2022
	FILED: 01/22/2022
	SCALE: AS SHOWN
	BY: T.C. MULLIN

BY:	DATE:	REVISIONS:
T.C.M.	05/12/22	ADD'D CNTY'S 2nd COMMENTS
T.C.M.	03/02/22	ADD'D CNTY'S COMMENTS

**LEGAL DESCRIPTION AND SKETCH
OF WATER UTILITY EASEMENT FOR
AIRPORT LOGISTICS PARK**

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