PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

August 23, 2022

Consent [X]

Regular []

Public Hearing []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 7724, Page 0818 and ORB 7722, Page 0370; and **B)** Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 7722, Page 0370 and ORB 7724, Page 0818.

Summary: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the utility easements recorded in the Official Records of Palm Beach County as noted above and located at 6275 Lantana Road, Lake Worth. The Property Owner is requesting release of the portions of the easement that are no longer associated with any public potable water, wastewater and reclaimed water facilities. As a result of site development for Lee Square, these portions of the existing utility easements are no longer required. PBCWUD has determined that these portions of the easement will not affect existing or new public potable water, wastewater and reclaimed water facilities and therefore recommends approval of the release. (PBCWUD Project No. 21-500) <u>District 3</u> (MWJ)

Background and Justification: The utility easements listed above were granted/reserved to the County for public potable water, wastewater and reclaimed water facilities associated with property identified by PCN 00-42-44-34-38-001-0010 on November 11, 1992 and November 16, 1992. The two easements describe identical parcels that were granted by two different grantors on two different dates.

Attachments:

- Location Map
- Two (2) Original Partial Release of Utility Easement for ORB 7724 Page 0818 and ORB 7722 Page 0370
- 3. Two (2) Original Partial Release of Utility Easement for ORB 7722 Page 0370 and ORB 7724 Page 0818

Recommended By:	AliBayat	8/16/22
·	Department Director	Date
Approved By:	Assistant County Administrator	8(19/2012 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

A.	Five Year Summary of	Fiscal Imp	eact:			
Fisca	l Years	2022	2023	2024	2025	2026
Opera Exteri Progr	al Expenditures ating Costs nal Revenues am Income (County) nd Match County	<u> </u>	<u>0</u>	0000	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>O</u> <u>O</u> <u>O</u> <u>O</u>
NET I	FISCAL IMPACT	0	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	DITIONAL FTE TIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budg	et Account No.: Fund	De	ept	Unit	Object	
Is Iter	n Included in Current Buc	lget?		Yes	No	
Does	this item include the use	of federal f	unds?	Yes	No	
		F	Reporting Cate	gory <u>N/A</u>		
B.	Recommended Source	s of Fund	s/Summary of	f Fiscal Impac	et:	
C.	No Fiscal Impact. Department Fiscal Rev		VIEW COMME	NTS	— GE	
۸	OEMP Finant and/or C	ontraat Da	volonment an	d Control Co	mmonto:	
A. OFMB Fiscal and/or Contract Development and Control Comments: OFMB 94 438 32 Contract Development and Control						
B. Legal Sufficiency: Assistant County Attorney 8 17 22						
C.	Other Department Rev	riew:				

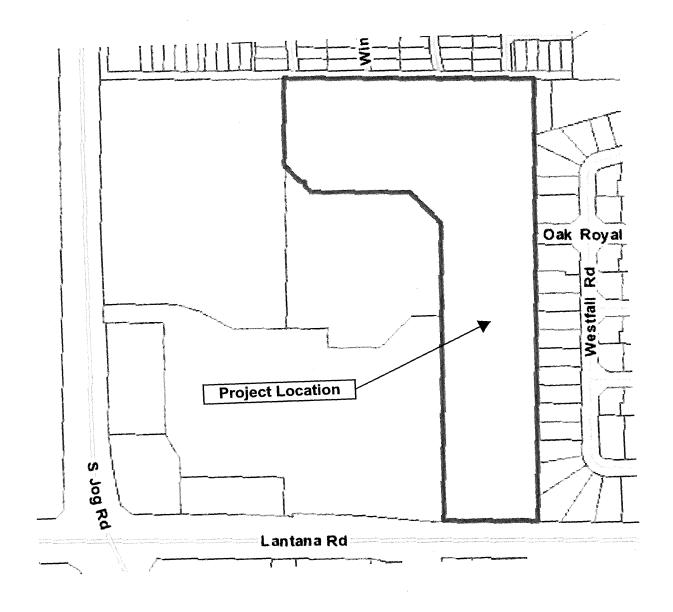
This summary is not to be used as a basis for payment.

Department Director

ATTACHMENT 1

Location Map

PBCWUD PROJECT NO. 21-500



Prepared by and return to: Palm Beach County Water Utilities Department Attn: Plan Review 8100 Forest Hill Blvd West Palm Beach, Florida 33413

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed thisday of, 2022, by Palm Beach County, a political subdivision of the State of
Florida, first party, c/o Palm Beach County Water Utilities Department, 8100 Forest Hill Blvd., West Palm Beach, Florida 33413, to <u>Spilan Parcel, LLC</u> , whose address is <u>6305 Airline Drive</u> , <u>Metairie</u> , <u>Louisiana 70003</u> , second party:
WITNESSETH:
THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 7724, Page 0818, Public Records of Palm Beach County, Florida.
THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."
IN WITNESS WHEREOF the first party has caused this PARTIAL RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.
ATTEST: PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS Clerk of the Circuit Court & Comptroller
By: By: Robert S. Weinroth, Mayor #\mathcal{B}
APPROVED AS TO FORM AND LEGAL SUFFICIENCY
By: County Attorney

DESCRIPTION:

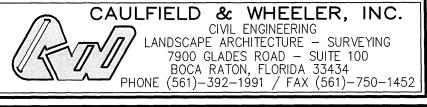
A 6 FOOT BY 247 FOOT PORTION OF THE UTILITY EASEMENT RECORDED IN OFFICIAL RECORD BOOK 7724 AT PAGE 818 AND OFFICIAL RECORD BOOK 7722 AT PAGE 370 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING IN A PORTION OF TRACT "A", OF THE PLAT OF LEE SQUARE AS RECORDED IN PLAT BOOK 68, PAGES 186 AND 187, OF SAID PUBLIC RECORDS; LYING IN SECTION 34, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE, ALONG THE EAST LINE OF SAID TRACT "A", SOUTH 01°35′31" WEST, A DISTANCE OF 458.76 FEET TO THE NORTHEAST CORNER OF THE 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT AND THE POINT OF BEGINNING; THENCE, CONTINUING ALONG THE EAST LINE OF SAID TRACT "A" AND THE EAST LINE OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT, SOUTH 01°35′31" WEST, A DISTANCE OF 6.00 FEET TO THE SOUTHEAST CORNER OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; THENCE, DEPARTING SAID EAST LINE OF SAID TRACT "A", ALONG THE SOUTH LINE OF SAID 6 FOOT BY 247 FOOT SECTION OF SAID UTILITY EASEMENT, NORTH 88°24′29" WEST, A DISTANCE OF 247.00 FEET TO THE SOUTHWEST CORNER OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; THENCE, ALONG THE WEST LINE OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT, NORTH 01°35′31" EAST, A DISTANCE OF 6.00 FEET TO THE NORTHWEST CORNER OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; THENCE, ALONG THE WEST CORNER OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; THENCE, ALONG THE NORTH LINE OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; THENCE, ALONG THE NORTH LINE OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; THENCE, ALONG THE NORTH LINE OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT; NORTH LINE OF SAID 6 FOOT BY 247 FOOT PORTION OF SAID UTILITY EASEMENT, SOUTH 88°24′29" EAST, A DISTANCE OF 247.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS BEING LYING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 1,482 SQUARE FEET OR 0.0340 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

SHEET 1 OF 4



PARTIAL UTILITY EASEMENT ABANDONMENT 1 LEE SQUARE SKETCH OF DESCRIPTION

DATE	3-14-2022
DRAWN B	Y DLS
F.B./ PG.	NONE
SCALE	NONE
JOB NO.	8533 EA1

EXHIBIT "A"

NOTES COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (90 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND, UNLESS STATED OTHERWISE
SCALE FACTOR = 1.000023609
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (90 ADJUSTMENT), FLORIDA EAST ZONE.

LEGEND/ABBREVIATIONS

Ψ - CENTER LINE
Δ - DELTA (CENTRAL ANGLE)
B.E. - BUFFER EASEMENT
D.E. - DRAINAGE EASEMENT
ESMT - EASEMENT
FPL -FLORIDA POWER & LIGHT
GRND -GROUND
L - ARC LENGTH
LB - LICENSED BUSINESS
ORB. - OFFICIAL RECORD BOOK
P.B. - PLAT BOOK

P.B.C.R. — PALM BEACH COUNTY RECORDS
PBCO — PALM BEACH COUNTY
POB — POINT OF BEGINNING
POC — POINT OF COMMENCEMENT
PGS — PAGE(S)
PG. —PAGE
R — RADIUS
R/W — RIGHT—OF—WAY
RGE — RANGE
SEC — SECTION

NOTES:

1. THIS SURVEY OR REPRODUCTIONS THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

TWP - TOWNSHIP

- 2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS—OF—WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD. "THIS SKETCH AND LEGAL DESCRIPTION HAS BEEN PREPARED WITHOUT A REVIEW OF THE TITLE POLICY OR OWNERSHIP AND ENCUMBRANCE REPORT; AND IT IS POSSIBLE THAT THERE ARE EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, IN PARTICULAR OTHER EASEMENTS OF RECORD THAT MAY BE IN CONFLICT WITH THE GRANTING OF THIS EASEMENT".
- 3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S88°32'18"E ALONG SOUTH LINE OF SE 1/4 OF SECTION 34, TOWNSHIP 44 SOUTH, RANGE 42 EAST, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT). THE ROTATION FROM GRID TO RECORD PLAT BEARINGS OF CLOCKWISE 0°00'09".
- 4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
- 5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.
- 6. RECORDING INFORMATION SHOWN HEREON IS OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFICATE:

HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MARCH 14, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADORNOUBY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTOS 12.027. SHEET 2 OF 4

CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING

LANDSCAPE ARCHITECTURE - SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 33434

PHONE (561)-392-1991 / FAX (561)-750-1452

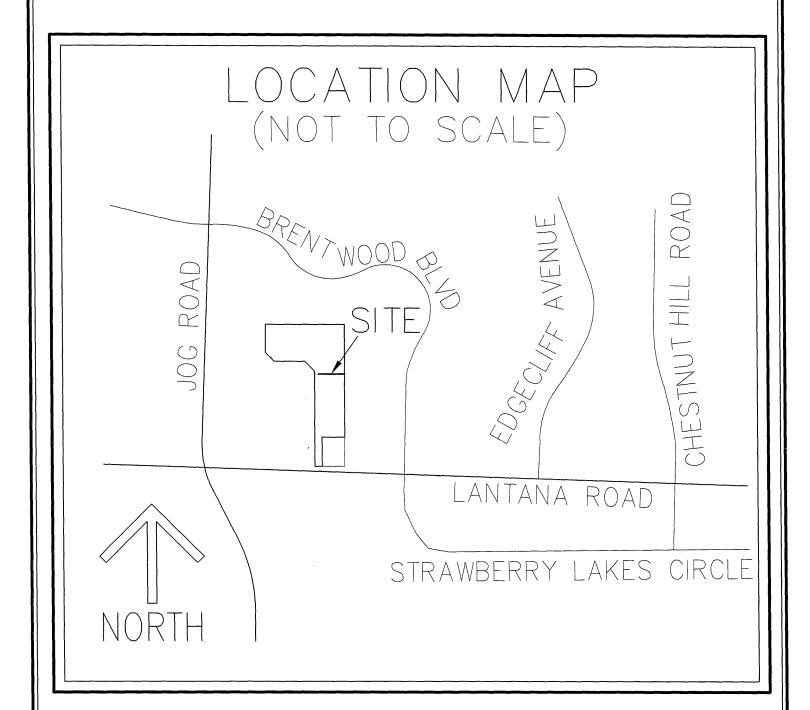
PARTIAL UTILITY EASEMENT ABANDONMENT 1 LEE SQUARE SKETCH OF DESCRIPTION DATE 3-14-2022

DRAWN BY DLS

DAVID P. LINDLEY

F.B. / PG. NONE

STATE OF S



SHEET 3 OF 4



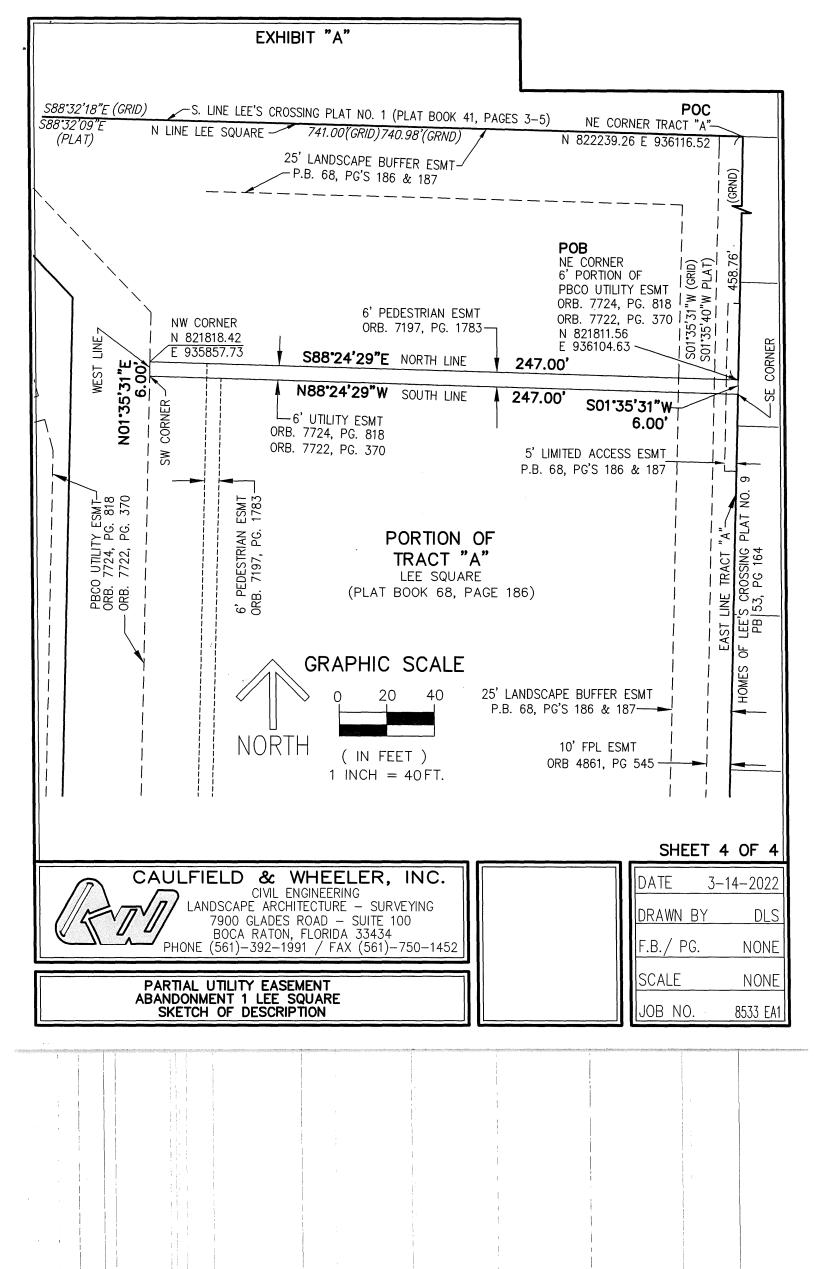
WHEELER, INC. CAULFIELD &

CIVIL ENGINEERING LANDSCAPE ARCHITECTURE — SURVEYING 7900 GLADES ROAD — SUITE 100 BOCA RATON, FLORIDA 33434 NE (561)—392—1991 / FAX (561)—750—1452

PHONE

PARTIAL UTILITY EASEMENT ABANDONMENT 1 LEE SQUARE SKETCH OF DESCRIPTION

DATE	3-14-2022
DRAWN B	Y DLS
F.B./ PG.	NONE
SCALE	NONE
JOB NO.	8533 EA1



Prepared by and return to: Palm Beach County Water Utilities Department Attn: Plan Review 8100 Forest Hill Blvd West Palm Beach, Florida 33413

PARTIAL RELEASE OF UTILITY EASEMENT

, 2022, by Palm Be Florida, first party, c/o Palm Beach Co	r EASEMENT, executed thisday ofeach County, a political subdivision of the State of punty Water Utilities Department, 8100 Forest Hill 13, to Spilan Parcel, LLC, whose address is 6305 3, second party:
W	ITNESSETH:
hand paid by the second party, the recterminate, renounce, and release a port	consideration of the sum of \$10.00 (Ten Dollars) in ceipt of which is hereby acknowledged, wishes to ion of that UTILITY EASEMENT recorded in Official c Records of Palm Beach County, Florida.
	releases any and all of its rights, title, and interest ENT as shown in the sketch and legal description in as Exhibit "A."
	rst party has caused this PARTIAL RELEASE OF as of the day and year first written above.
ATTEST: Joseph Abruzzo, Clerk of the Circuit Court & Comp	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS troller
By: Deputy Clerk	By: Robert S. Weinroth, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY By:County Attorney	

DESCRIPTION:

A PORTION OF THE PALM BEACH COUNTY UTILITY EASEMENT RECORDED IN OFFICIAL RECORD BOOK 7724 AT PAGE 818 AND OFFICIAL RECORD BOOK 7722 AT PAGE 370 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING IN A PORTION OF TRACT "A", OF THE PLAT OF LEE SQUARE AS RECORDED IN PLAT BOOK 68, PAGES 186 AND 187, OF SAID PUBLIC RECORDS; LYING IN SECTION 34, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE, ALONG THE NORTH LINE OF SAID TRACT "A", NORTH 88°32'18" WEST, A DISTANCE OF 398.70 FEET; THENCE, DEPARTING SAID NORTH LINE, SOUTH 01°27'42" WEST, A DISTANCE OF 276.27 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTERLY LINE OF THE SAID PALM BEACH COUNTY UTILITY EASEMENT AND THE POINT OF BEGINNING;

THENCE, ALONG SAID NORTHEASTERLY LINE THE FOLLOWING THREE COURSES, NORTH 46°35'31" EAST, A DISTANCE OF 30.63 FEET; THENCE SOUTH 43°24'29" EAST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 46°35'31" WEST, A DISTANCE OF 37.50 FEET; THENCE, DEPARTING SAID NORTHEASTERLY LINE, NORTH 30°35'31" WEST, A DISTANCE OF 30.78 FEET TO THE POINT OF BEGINNING.

SAID LANDS BEING SITUATED IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 1,022 SQUARE FEET OR 0.0235 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

SHEET 1 OF 4

CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING

LANDSCAPE ARCHITECTURE - SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 334.34

PHONE (561)-392-1991 / FAX (561)-750-1452

PARCIAL UTILITY EASEMENT ABANDONMENT 2 LEE SQUARE SKETCH OF DESCRIPTION

DATE	5-17-2021
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	NONE
JOB NO.	8533 EA2R

EXHIBIT "A"

NOTES COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID DATUM = NAD 83 (90 ADJUSTMENT) ZONE = FLORIDA EAST LINEAR UNIT = US SURVEY FEET COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION ALL DISTANCES ARE GROUND, UNLESS STATED OTHERWISE SCALE FACTOR = 1.000023609GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE BEARINGS AS SHOWN HEREON ARE GRID DATUM, NAD 83 (90 ADJUSTMENT), FLORIDA EAST ZONE.

LEGEND/ABBREVIATIONS

 Θ – CENTER LINE Δ - DELTA (CENTRAL ANGLE)
B.E. - BUFFER EASEMENT
D.E. - DRAINAGE EASEMENT
ESMT - EASEMENT ESMT -FPL -FLORIDA POWER & LIGHT GRND -GROUND L — ARC LENGTH LB — LICENSED BUSINESS ORB. — OFFICIAL RECORD BOOK P.B. — PLAT BOOK

P.B.C.R. — PALM BEACH COUNTY RECORDS PBCO — PALM BEACH COUNTY POB — POINT OF BEGINNING POC — POINT OF COMMENCEMENT PGS — PAGE(S) PG. —PAGE R — RADIUS R/W - RIGHT-OF-WAY RGE - RANGE SEC - SECTION

NOTES:

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TWP - TOWNSHIP

- 2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS—OF—WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD. "THIS SKETCH AND LEGAL DESCRIPTION HAS BEEN PREPARED "THIS SKETCH AND LEGAL DESCRIPTION HAS BEEN PREPARED WITHOUT A REVIEW OF THE TITLE POLICY OR OWNERSHIP AND ENCUMBRANCE REPORT; AND IT IS POSSIBLE THAT THERE ARE EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, IN PARTICULAR OTHER EASEMENTS OF RECORD THAT MAY BE IN CONFLICT WITH THE GRANTING OF THIS EASEMENT".
- 3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S88°32'18"E ALONG SOUTH LINE OF SE 1/4 OF SECTION 34, TOWNSHIP 44 SOUTH, RANGE 42 EAST, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT). THE ROTATION FROM GRID TO RECORD PLAT BEARINGS OF CLOCKWISE 0'00'09".
- 4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
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CERTIFICATE:

HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MAY 7, 2021. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY, THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STANDARDS. SHEET 2 OF 4

CIVIL ENGINEERING

CIVIL ENGINEERING

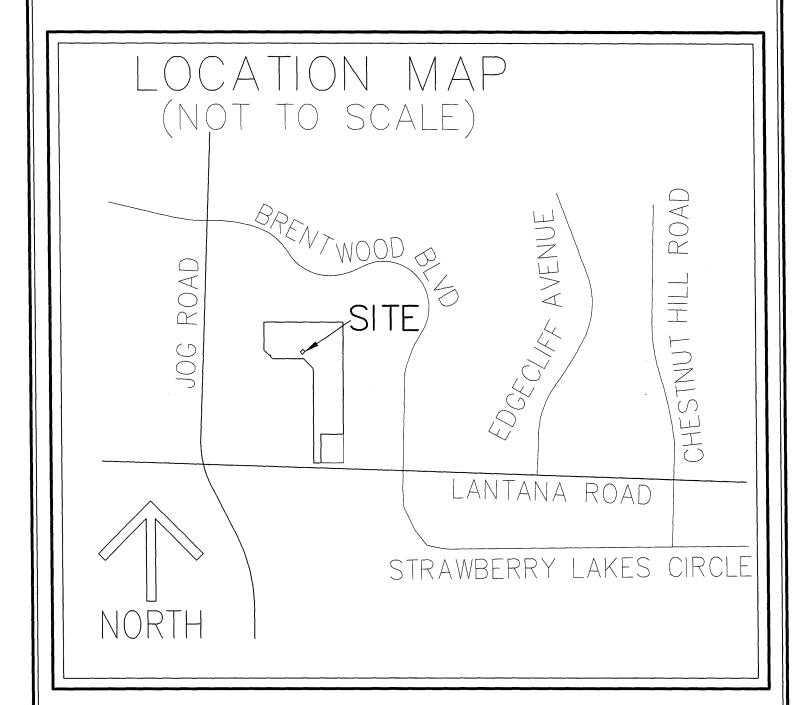
LANDSCAPE ARCHITECTURE - SURVEYING SHEET 2 OF 4

.В.

LANDSCAPE ARCHITECTURE - SURVEYING 7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452

PARCIAL UTILITY EASEMENT ABANDONMENT 2 LEE SQUARE SKETCH OF DESCRIPTION

5-17-2021 DAVID P. LINDLEW STATEDY PRIVATE NO. 5005 DLS DRAWN BY F.B./ PG. NONE NONE **SCALE** 3591 JOB NO. 8533 EA2R



SHEET 3 OF 4



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING

LANDSCAPE ARCHITECTURE - SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 33434

PHONE (561)-392-1991 / FAX (561)-750-1452

PARCIAL UTILITY EASEMENT ABANDONMENT 2 LEE SQUARE SKETCH OF DESCRIPTION

١	DATE	5-17-2021
	DRAWN BY	DLS
l	F.B./ PG.	NONE
	SCALE	NONE
	JOB NO.	8533 EA2R

