



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

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

Budget Account No:

Fund                      Dept                      Unit                      Object

**Recommended Sources of Funds/Summary of Fiscal Impact:**

\*\*This item has no fiscal impact.



C. Departmental Fiscal Review: \_\_\_\_\_

**III. REVIEW COMMENTS**

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

*Javon W. Jackson  
2/14/23*

*Laura Mata 2/14/23*  
 \_\_\_\_\_  
 OFMB    *CA 2/14*

*Dr. G. Jacobus 2/16/23*  
 \_\_\_\_\_  
 Contract Dev. and Control  
*MD 2/15/23*

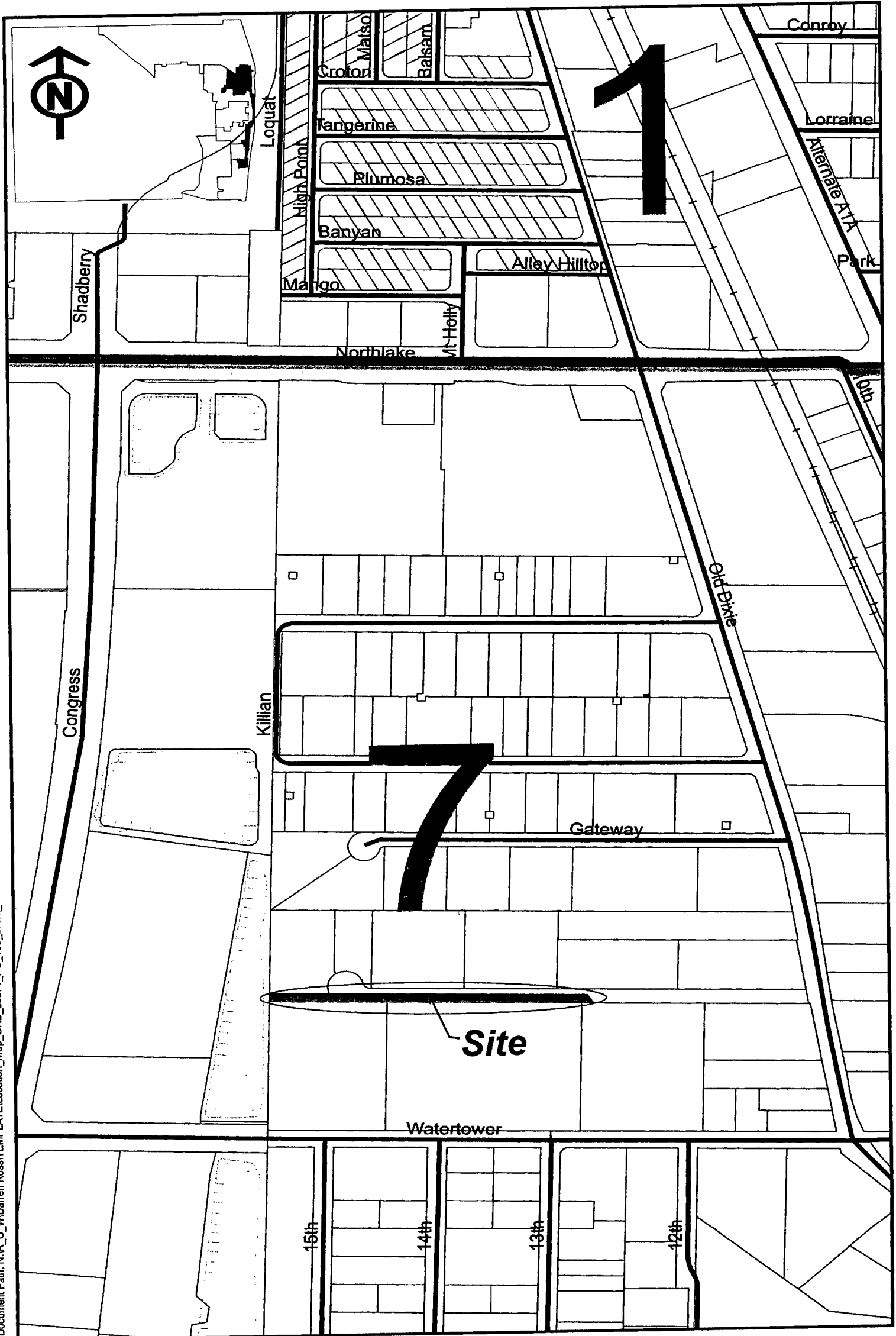
B. Approved as to Form and Legal Sufficiency:

*MDP 2/17/23*  
 \_\_\_\_\_  
 Assistant County Attorney

C. Other Department Review:

\_\_\_\_\_  
 Department Director

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



Document Path: N:\R\_O\_W\Darren Ross\TEMPLATE\Location\_Map\_ORB\_28371\_PG\_103\_Brent\_E.mxd

Location Map

Return to:  
Right-of-Way Section  
Palm Beach County, Engineering & Public Works Department  
Post Office Box 21229  
West Palm Beach, Florida 33416-1229  
Attn.: Brent Enck, Right-of-Way Specialist

This Instrument Prepared by:  
Yelizaveta Herman, Assistant County Attorney  
Palm Beach County, County Attorney's Office  
Post Office Box 21229  
West Palm Beach, Florida 33416-1229

Property Control Number: Portion of 36-43-42-20-31-001-0000 & 36-43-42-20-31-002-0000

**NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE**

**SPACE ABOVE THIS LINE FOR PROCESSING DATA**

**PROJECT NO.: MRT 2022-026**  
**ROAD NAME: OLD DIXIE HWY**  
**@ WATERTOWER RD**  
**PARCEL NO.: DE**

## **RELEASE OF REPLACED PORTION OF DRAINAGE EASEMENT**

**WHEREAS**, a drainage easement was conveyed to **PALM BEACH COUNTY**, a political subdivision of the State of Florida (County), on June 16, 2016 and recorded in Official Record Book 28371, Page 103, Public Records of Palm Beach County, Florida (Drainage Easement); and

**WHEREAS**, the Drainage Easement is located on land (Parcel) owned by **DG LAKE PROPERTY OWNER, LP**, a Delaware limited partnership, whose post office address is 17304 Preston Road, Suite 550, Dallas, Texas 75252-5625 ("Developer"); and

**WHEREAS**, the Drainage Easement extends from Old Dixie Highway to the western boundary of the Parcel; and

**WHEREAS**, the Developer is in the process of platting their property under the name Dalfen Watertower Industrial; and

**WHEREAS**, a portion of the Drainage Easement, which portion is described in **Exhibit "A"**, is inconsistent with Dalfen Watertower Industrial's proposed site plan; and

**WHEREAS**, the Developer has provided a replacement drainage easement, recorded in ORB 34108 PG 1586, Public Records of Palm Beach County (Replacement Drainage Easement), that replaces the inconsistent portion of the Drainage Easement; and

**WHEREAS**, Developer has requested the release of the replaced portion of the Drainage Easement that is described in **Exhibit "A"**, to accommodate the Developer's new development; and

**WHEREAS**, the existing drainage outfall system used by the County has been relocated from the inconsistent portion of the Drainage Easement to the Easement Premises in the Replacement Drainage Easement; and

**WHEREAS**, County Engineering & Public Works Department staff has reviewed the request and finds it is appropriate to release the portion of the Drainage Easement described on **Exhibit "A"**, which portion was replaced by the Replacement Drainage Easement.

**NOW, THEREFORE**, in consideration of the recitals set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County does hereby release the replaced portion of the Drainage Easement.

**IN WITNESS WHEREOF**, the County has caused this Release of the Replaced portion of the Drainage Easement to be executed on \_\_\_\_\_.

**ATTEST:**

JOSEPH ABRUZZO,  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

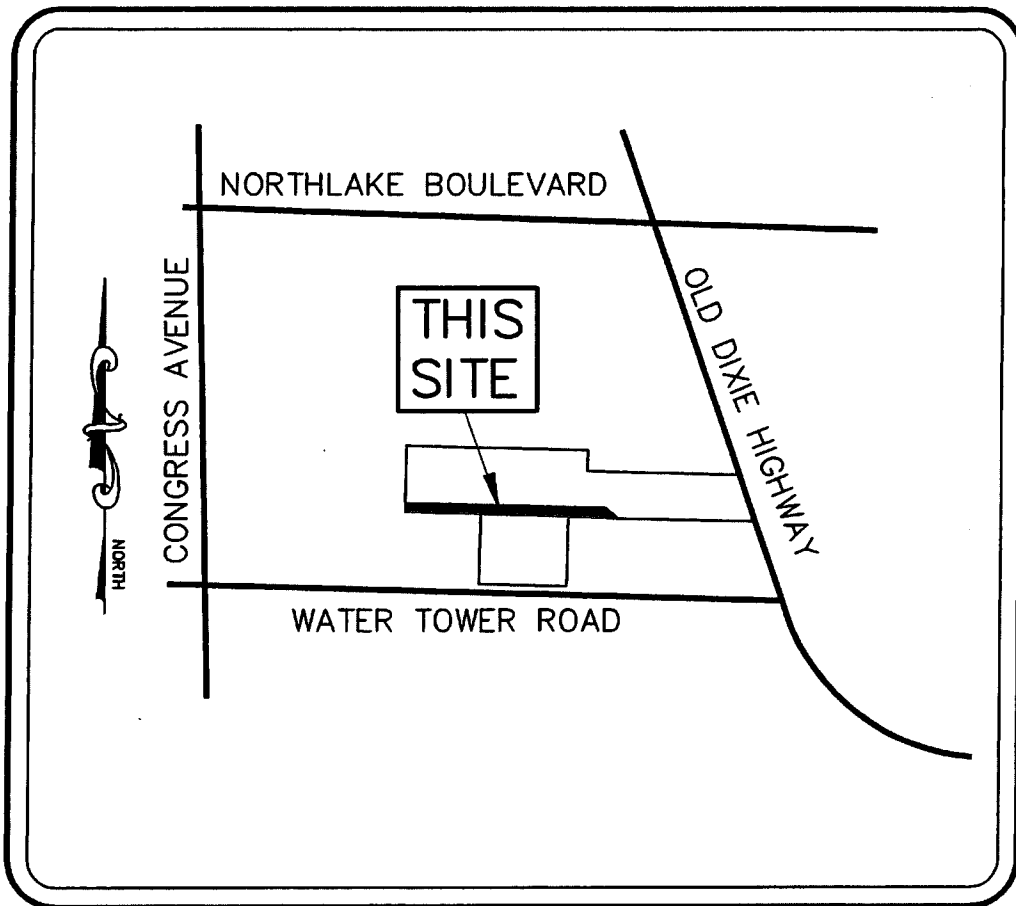
By: ybh/tel  
Assistant County Attorney

**County:**

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

By: \_\_\_\_\_  
Gregg K. Weiss, Mayor

**(Official Seal)**



SECTION 20, TOWNSHIP 42 SOUTH, RANGE 43 EAST

**LOCATION MAP**

NOT TO SCALE

SEE SHEET 2 FOR DESCRIPTION AND CERTIFICATION  
 SEE SHEET 3 FOR SURVEYOR'S NOTES AND LEGEND/ABBREVIATIONS

SHEET 1 OF 4



**CAULFIELD & WHEELER, INC.**

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

DALFEN WATERTOWER INDUSTRIAL  
 DRAINAGE EASEMENT PARTIAL RELEASE  
 SPECIFIC PURPOSE SURVEY

DATE	2/6/2023
DRAWN BY	dl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9606-DEVAC-SPS

**DESCRIPTION:**

A PORTION OF THAT PUBLIC DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 28371. PAGE 103 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN TRACT "A" AND WATER MANAGEMENT TRACT "B" OF THE PLAT OF 1100 COMMERCE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 98, PAGES 60 AND 61 OF SAID PUBLIC RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT "A", SCHUMACHER AT WATER TOWER ROAD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGES 163 AND 164 OF SAID PUBLIC RECORDS THENCE ON A GRID BEARING OF NORTH 88°28'51" WEST ALONG THE SOUTH LINE OF SAID TRACT "A" AND WATER MANAGEMENT TRACT "B" OF THE PLAT OF 1100 COMMERCE, A DISTANCE OF 966.11 FEET TO THE SOUTHWEST CORNER OF SAID 1100 COMMERCE PARK PLAT; THENCE NORTH 01°19'36" EAST ALONG THE WEST LINE OF SAID 1100 COMMERCE PARK PLAT, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH LINE OF AFORESAID PUBLIC DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 28371. PAGE 103; THENCE SOUTH 88°28'51" EAST ALONG SAID NORTH LINE, A DISTANCE OF 982.36 FEET; THENCE SOUTH 32°25'24" EAST, A DISTANCE OF 36.16 FEET TO A POINT OF INTERSECTION WITH SAID SOUTH LINE OF TRACT "A" OF THE PLAT OF 1100 COMMERCE; NORTH 88°28'51" WEST ALONG SAID SOUTH LINE OF TRACT "A" OF THE PLAT OF 1100 COMMERCE, A DISTANCE OF 36.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 29,770 SQUARE FEET OR 0.6834 ACRES, MORE OR LESS.

SAID EASEMENTS LYING AND BEING IN THE TOWN OF LAKE PARK, PALM BEACH COUNTY, FLORIDA,


NOTE: THIS DOCUMENT HAS BEEN PREPARED FOR THE PURPOSE AND INTENT TO REMOVE AND REPLACE THE PORTION OF THE DRAINAGE EASEMENT, AS SHOWN AND DESCRIBED HEREON

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON MAY 17, 2022. I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

SEE SHEET 3 FOR SURVEYOR'S NOTES AND LEGEND/ABBREVIATIONS

SHEET 2 OF 4



**CAULFIELD & WHEELER, INC.**  
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE  
 LAND SURVEYING  
 7900 GLADES ROAD - SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452

David E. Rohal, P.S.M. Digitally signed by David E. Rohal, P.S.M. Date: 2023.02.07 08:21:59 -05'00'

---

DAVID E. ROHAL  
 PROFESSIONAL LAND SURVEYOR NO. 4315  
 STATE OF FLORIDA  
 L.B. 3591

DATE	2/6/2023
DRAWN BY	dl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9606-DEVAC-SPS

DALFEN WATERTOWER INDUSTRIAL DRAINAGE EASEMENT PARTIAL RELEASE SPECIFIC PURPOSE SURVEY

**SURVEYOR'S NOTES:**

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. THE UNDERSIGNED SURVEYOR HAS REVIEWED THE TITLE TO THE PROPERTY AS SHOWN ON THE ALTA/NSPS LAND TITLE SURVEY PREPARED BY THIS SURVEYOR, JOB NUMBER 9606, DAGE JUNE 6, 2022.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 88°28'51" WEST ALONG THE NORTH LINE OF TRACT "A", SCHUMACHER AT WATER TOWER ROAD, ACCORDNG TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGES 163 AND 164 THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83/90).
5. FENCES ARE NOT LOCATED AS THE HAVE NO BEARING ON THE PUBLIC DRAINAGE EASEMENT RIGHTS.
6. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.
8. THIS IS NOT A BOUNDARY SURVEY.

**LEGEND/ABBREVIATIONS:**

- (GND) - GROUND DISTANCE
- (GRID) - GRID DISTANCE
- O.R.B. - OFFICIAL RECORDS BOOK
- P.B. - PLAT BOOK
- P.O.B.- POINT OF BEGINNING
- PGS. - PAGES
- STM - STORM WATER
- UDP - UNDERGROUND DRAINAGE PIPE  
(UNDERGROUND PIPE)
- N: - NORTHING COORDINATE
- E: - EASTING COORDINATE


ⓓ STORM MANHOLE

**NOTES**

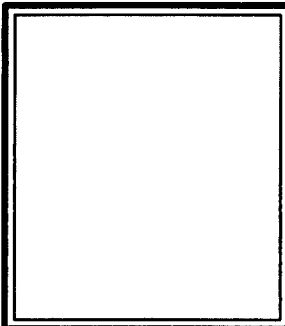
**COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
 DATUM = NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT)  
 ZONE = FLORIDA EAST  
 LINEAR UNIT = U.S. SURVEY FEET  
 COORDINATE SYSTEM 1983 STATE PLANE  
 TRANSVERSE MERCATOR PROJECTION  
 ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
 SCALE FACTOR = 1.0000444  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 BEARING ROTATION FROM GRID TO PLAT (PLAT BOOK 98, PAGE 60)  
 IS 00°22'36" CLOCKWISE

SHEET 3 OF 4



**CAULFIELD & WHEELER, INC.**  
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE  
 LAND SURVEYING  
 7900 GLADES ROAD - SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	2/6/2023
DRAWN BY	dl
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9606-DEVAC-SPS

DALFEN WATERTOWER INDUSTRIAL  
DRAINAGE EASEMENT PARTIAL RELEASE  
SPECIFIC PURPOSE SURVEY





NORTH 1 INCH = 160 FEET

WEST LINE SECTION 20-42-43

WATER MANAGEMENT TRACT  
CONGRESS AVENUE RETAIL  
(PLAT BOOK 111, PAGE 117)

LOT 8

GATEWAY INDUSTRIAL PARK  
(PLAT BOOK 30, PAGE 148)

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

WATER  
MANAGEMENT  
TRACT  
"B"  
LIFT  
STATION  
EASEMENT  
P.B. 98,  
PG. 60

15' WATER AND SEWER  
UTILITY EASEMENT.  
O.R.B. 6490, PG. 916

LOT 5 LOT 4

1100 COMMERCE PARK  
(PLAT BOOK 98, PAGE 60)

LOT 3

UNPLATTED

LOT 2

S32°25'24"E  
36.16'

UDP  
S88°28'51"E — 982.36' — UDP

WEST LINE  
P.B. 98, PAGE 60  
N01°19'36"E  
30.00'

N 898307.803  
E 955561.316

N88°28'51"W 966.11'

NORTH LINE TRACT "A"

P.B. 84, PAGE 30

NE CORNER TRACT "A"

N 898282.049

BEARING BASIS

E 956527.113

SOUTH LINE

PUBLISHED

P.B. 98, PAGE 60

P.B. 84, PAGE 30

15' WATER AND SEWER  
UTILITY EASEMENT.  
O.R.B. 6495, PG. 605

OPIC COMPANY  
(PLAT BOOK 84, PAGE 30)

TRACT "A"  
SCHUMACHER AT WATER  
TOWER ROAD  
(PLAT BOOK 84, PAGE 30)

N88°28'51"W  
36.34'

SOUTH LINE TRACT "A"  
P.B. 98, PAGE 60

UNPLATTED

SEE SHEET 2 FOR DESCRIPTION  
SEE SHEET 3 FOR SURVEYOR'S NOTES AND LEGEND/ABBREVIATIONS

SHEET 4 OF 4



**CAULFIELD & WHEELER, INC.**

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

DALFEN WATERTOWER INDUSTRIAL  
DRAINAGE EASEMENT PARTIAL RELEASE  
SPECIFIC PURPOSE SURVEY

DATE 2/6/2023

DRAWN BY dl

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO. 9606-DEVAC-SPS

Return via Palm Beach County interoffice mail to:  
Brent Enck, Right-of-Way Specialist  
Palm Beach County, Engineering & Public Works Department  
Roadway Production Division  
2300 North Jog Road, 3<sup>rd</sup> Floor West  
West Palm Beach, Florida 33411-2750

CFN 20230040828  
OR BK 34108 PG 1586  
RECORDED 2/6/2023 2:45 PM  
Deed Consideration Amt: \$1.00  
DEED DOC \$0.70  
Palm Beach County, Florida  
Joseph Abruzzo, Clerk  
Pgs: 1586 - 1593; (3pgs)

This Instrument Prepared by:  
Yelizaveta B. Herman, Assistant County Attorney  
Palm Beach County Attorney's Office  
Post Office Box 21229  
West Palm Beach, Florida 33416-1229

Property Control Number: Portion of 36-43-42-20-31-001-0000 & 36-43-42-20-31-002-0000

Not subject to documentary stamp tax per Florida Administrative Code Rule 12B-4.014(13)

**NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE**

SPACE ABOVE THIS LINE FOR PROCESSING DATA

ACCEPTED BY  
BOARD OF COUNTY COMMISSIONERS  
DATE: 2-2-23

PROJECT NO.: MRT 2022-026  
ROAD NAME: OLD DIXIE HWY @ WATERTOWER  
RD  
PARCEL NO.: DE

### DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT ("Easement") is made this 27<sup>TH</sup> day of OCTOBER, 2022, by DG LAKE PARK PROPERTY OWNER, L.P., a Delaware limited partnership, whose post office address is 17304 Preston Road, Suite 550, Dallas, Texas 75252-5625, ("Grantor"), to PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose post office address is Post Office Box 21229, West Palm Beach, Florida 33416-1229, ("Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of ONE (\$1.00) dollar and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants unto Grantee, its successors and assigns, for the purpose of a perpetual drainage easement over, upon, under, through and across the following described land, situate in Palm Beach County, Florida: Property more particularly described in Exhibit "A" attached hereto and made a part hereof ("Easement Premises").

This Easement shall be used to permanently construct, install, operate, and maintain (collectively "Perform Work") with regard to roadway facilities and related facilities in the Easement Premises (collectively "Facilities"). Facilities shall include earth embankment fill; drainage facilities for transporting water, both above ground (swales) and buried (pipes and structures) to or from water retention areas. The Easement includes the right at any time to install, bore, alter, improve, enlarge, add to, change the nature or physical characteristics of, replace, remove, or relocate the

Facilities, or perform any other activities related to the Facilities.

This Easement shall be non-exclusive, provided, however, that Grantor, its successors and assigns, shall be permanently prohibited from hindering, obstructing, removing or interfering with the operation, functioning, maintenance, or repair of any of the Facilities.

To the extent that Grantor, its successors and assigns, hinder, obstruct, remove or interfere with the operation, functioning, maintenance, or repair of any of the Facilities (collectively "Interference"), Grantor, its successors and assigns shall be liable for any and all expenses and damages related to the Interference.

The installation of Facilities shall not extend beyond the limits of the Easement Premises.

Grantee, its agents, successors and assigns, shall have the right, but not the obligation, to Perform Work on the Facilities and/or to remove and use any or all of the soil and/or subsoil within the Easement Premises.

Any amendment or modification to this Easement shall be effective if the same is in writing, signed, and recorded in the public records of Palm Beach County, Florida.

Remainder of page intentionally left blank.

TO HAVE AND TO HOLD THE SAME unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the date first above written.

Signed, sealed and delivered in the presence of:

Grantor:

DG LAKE PARK PROPERTY OWNER, L.P.,  
a Delaware limited partnership

By DG LAKE PARK PROPERTY OWNER GP, LLC,  
a Delaware limited liability company,  
Its General Partner

(Signature of two witnesses  
required by Florida law)

[Handwritten Signature]  
Witness Signature (Required)

DANIEL ELIZONDO  
Witness Name Printed or Typed

[Handwritten Signature]  
Witness Signature (Required)

Max Scherer  
Witness Name Printed or Typed

By: [Handwritten Signature]  
Joseph Walker, Authorized Signatory

(SEAL)

STATE OF Texas  
COUNTY OF Dallas

Before me personally appeared Joseph Walker, who is (choose one)  personally known to me, or  has produced \_\_\_\_\_ as identification, and who executed the foregoing instrument as Authorized Signatory of DG LAKE PARK PROPERTY OWNER GP, LLC, a Delaware limited liability company, as general partner of DG LAKE PARK PROPERTY OWNER, L.P., a Delaware limited partnership, and severally acknowledged to and before me by means of (choose one)  physical presence or  online notarization, that they executed such instrument as such officer of said limited partnership, and that said instrument is the free act and deed of said limited partnership.

Witness my hand and official seal this 27<sup>th</sup> day of October, 2022.

(Stamp/Seal)



[Handwritten Signature]  
Notary Signature  
Notary Public, State of Texas  
Anthony Phillip Carver  
Print Notary Name  
133557792  
Commission Number  
My Commission Expires: 1/28/2026

**DESCRIPTION:**

A PORTION OF LOTS 2, 3, 4, 5 AND WATER MANAGEMENT TRACT "B", 1100 COMMERCE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 98, PAGES 60 AND 61 OF PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT "A", SCHUMACHER AT WATER TOWER ROAD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGES 163 AND 164 OF SAID PUBLIC RECORDS; THENCE ALONG THE SOUTH LINE OF TRACT "A" OF SAID 1100 COMMERCE PARK, S88°28'51"E, A DISTANCE OF 36.34 FEET; THENCE N32°25'24"W, A DISTANCE OF 36.16 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THAT 30 FOOT WIDE DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 28371, PAGE 103 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE ALONG SAID NORTH LINE OF 30 FOOT WIDE DRAINAGE EASEMENT, S88°28'51"E, A DISTANCE OF 36.16 FEET; THENCE N32°25'27"W, A DISTANCE OF 338.26 FEET; THENCE N88°28'28"W, A DISTANCE OF 328.71 FEET; THENCE N84°31'18"W, A DISTANCE OF 62.81 FEET; THENCE N88°28'28"W, A DISTANCE OF 439.23 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID 1100 COMMERCE PARK; THENCE ALONG SAID WEST LINE, S01°19'36"W, A DISTANCE OF 30.00 FEET; THENCE S88°28'28"E, A DISTANCE OF 438.09 FEET; THENCE S84°31'18"E, A DISTANCE OF 62.81 FEET; THENCE S88°28'28"E, A DISTANCE OF 313.78 FEET; THENCE S32°25'28"E, A DISTANCE OF 302.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 34,287 SQUARE FEET/0.7871 ACRES, MORE OR LESS.

SAID EASEMENTS LYING AND BEING IN THE SECTION 20, TOWNSHIP 42 SOUTH, RANGE 43 EAST, TOWN OF LAKE PARK, PALM BEACH COUNTY, FLORIDA.

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JANUARY 31, 2023. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

SHEET 1 OF 4

**CAULFIELD & WHEELER, INC.**



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

David  
Lindley

Digitally signed  
by David Lindley  
Date: 2023.01.31  
12:44:09 -05'00'

DAVID P. LINDLEY  
REGISTERED LAND  
SURVEYOR NO. 5005  
STATE OF FLORIDA  
L.B. 3591

DATE 1/31/2023

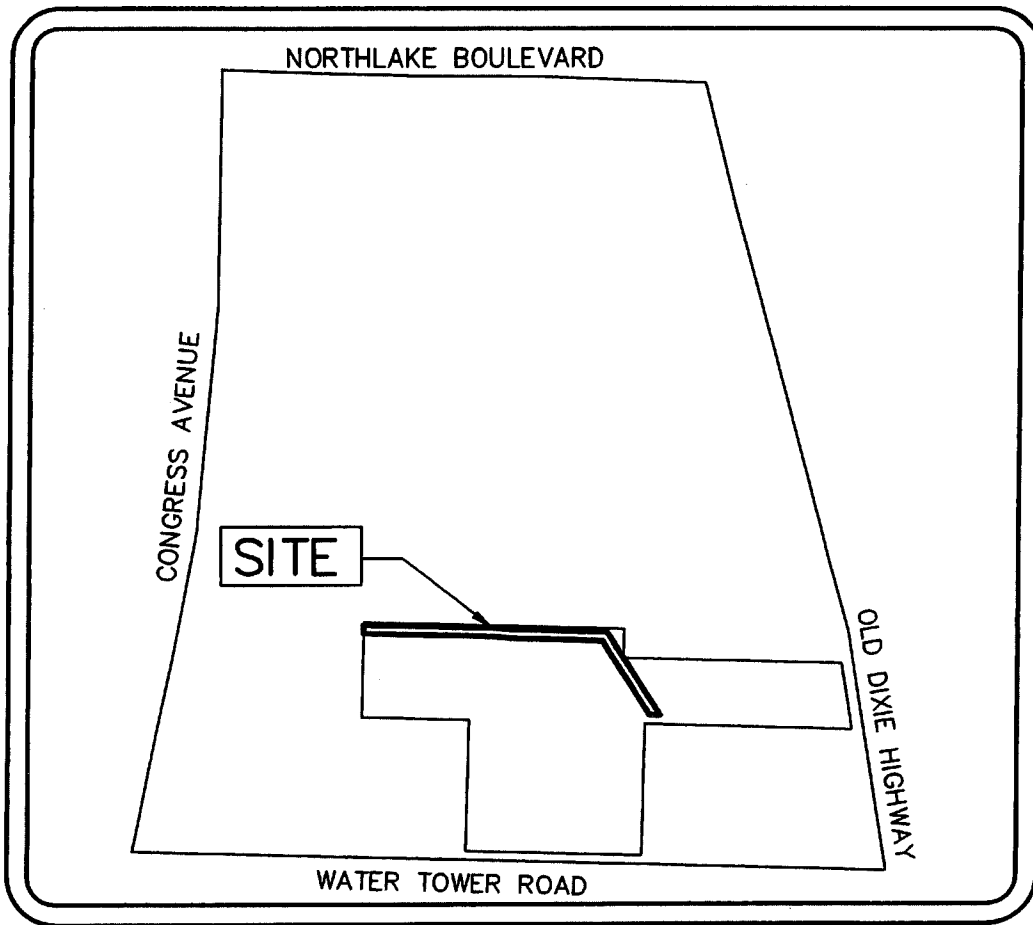
DRAWN BY AS

F.B./ PG. N/A

SCALE NONE

JOB NO.9606-DE (Revised)

**DALFEN WATERTOWER INDUSTRIAL  
DRAINAGE EASEMENT  
SKETCH AND DESCRIPTION**



SECTION 20, TOWNSHIP 42 SOUTH, RANGE 43 EAST  
**LOCATION MAP**  
 (NOT TO SCALE)

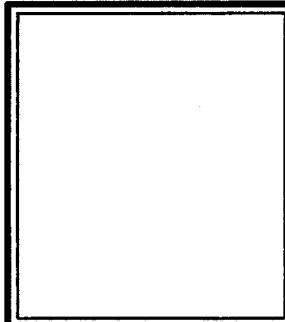
THIS IS NOT A SURVEY

SHEET 2 OF 4



**CAULFIELD & WHEELER, INC.**

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



DATE	1/31/2023
DRAWN BY	AS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9606-DE (Revised)

**DALFEN WATERTOWER INDUSTRIAL  
 DRAINAGE EASEMENT  
 SKETCH AND DESCRIPTION**

**SURVEYOR'S NOTES:**

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. THE UNDERSIGNED SURVEYOR HAS REVIEWED THE TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, ISSUING OFFICE FILE NUMBER: 402200502SJ, DATED 08/07/2022 AT 8:00 A.M., REVISION NUMBER "3" SEPTEMBER 2, 2022, ALL PLOTTABLE TITLE MATTERS ARE SHOWN HEREON ON SHEET 4.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S88°28'51"E, ALONG THE NORTH LINE OF TRACT "A", SCHUMACHER AT WATER TOWER ROAD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGES 163 AND 164 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83/90).
5. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

**LEGEND/ABBREVIATIONS**

- O.R.B. - OFFICIAL RECORDS BOOK
- P.B. - PLAT BOOK
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- PG(S). - PAGE(S)
- N - NORTHING COORDINATE
- E - EASTING COORDINATE
- L.B. - LICENSED BUSINESS
- NAD - NORTH AMERICAN DATUM

**NOTES  
COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
 DATUM = NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT)  
 ZONE = FLORIDA EAST  
 LINEAR UNIT = U.S. SURVEY FEET  
 COORDINATE SYSTEM 1983 STATE PLANE  
 TRANSVERSE MERCATOR PROJECTION  
 ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
 SCALE FACTOR = 1.0000444  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 BEARING ROTATION FROM GRID TO PLAT (PLAT BOOK 98, PAGE 60)  
 IS 00°22'36" CLOCKWISE

THIS IS NOT A SURVEY

SHEET 3 OF 4



**CAULFIELD & WHEELER, INC.**

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

**DALFEN WATERTOWER INDUSTRIAL  
 DRAINAGE EASEMENT  
 SKETCH AND DESCRIPTION**

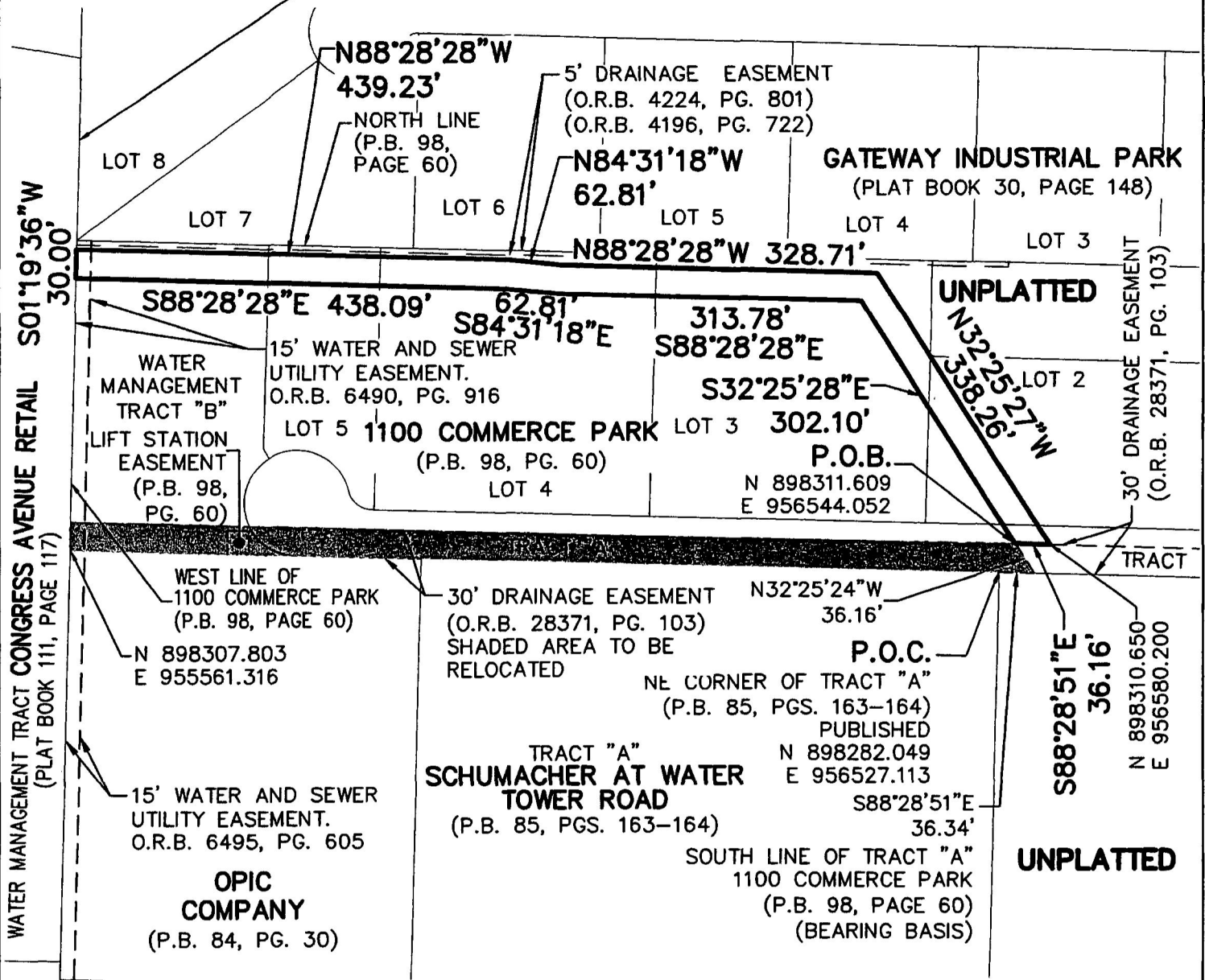
DATE	1/31/2023
DRAWN BY	AS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9606-DE (Revised)

EXHIBIT "A"



1 INCH = 160 FEET

WEST LINE SECTION 20-42-43

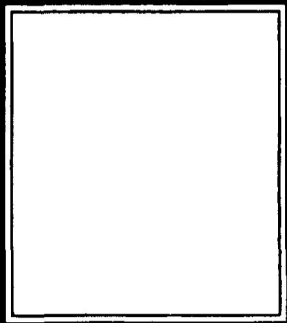


THIS IS NOT A SURVEY

SHEET 4 OF 4

**CAULFIELD & WHEELER, INC.**  
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE  
 LAND SURVEYING  
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**DALFEN WATERTOWER INDUSTRIAL  
 DRAINAGE EASEMENT  
 SKETCH AND DESCRIPTION**



DATE	1/31/2023
DRAWN BY	AS
F.B./ PG.	N/A
SCALE	1"=160'
JOB NO.	9606-DE (Revised)



**CONSENT AND JOINDER**

TD BANK, N.A., the undersigned mortgagee, is the owner and holder of a mortgage on the Property, as more particularly described in that certain Construction Loan Mortgage and Security Agreement, dated the 1<sup>st</sup> day of September, 2022, recorded in Official Record Book 33817, at Page 1148, under Clerk's File No. 20220368047, in the Public Records of Palm Beach County, Florida (the "Mortgage"), and hereby consents to the Drainage Easement described in Exhibit A to the easement document. This Consent and Joinder shall not otherwise impair or affect the liens against the Property created by and under the Mortgage. Nothing contained herein shall be deemed to or in any way limit or affect the Mortgage held by the Mortgagee or the priority of the lien created thereby and the sole purpose of this Consent and Joinder is to acknowledge the consent of the Mortgagee to the aforesaid Drainage Easement.

SIGNED AND SEALED IN THE PRESENCE OF:

**MORTGAGEE:**

*Tapan Patel*  
Print Name: TAPAN PATEL

TD BANK, N.A.  
a national banking association

*Carmen Campo*  
Print Name: CARMEN CAMPO

By: *Nathan Perlmutter*  
Name: Nathan Perlmutter  
Title: Vice President

**NOTARY ACKNOWLEDGMENT**

STATE OF FLORIDA )  
COUNTY OF Miami-Dade )

The foregoing instrument was acknowledged before me by means of X physical presence or    online notarization this 1 day of NOV, 2022, by Nathan Perlmutter as Vice President of TD BANK, N.A., a national banking association, on behalf of said bank. He/she X is personally known to me or    presented    as identification.

Notary Stamp/Seal:

Notary Signature: *Maria P. Lopez*  
Notary Print: MARIA P. LOPEZ  
Notary Public, State of FLORIDA  
Commission No.: 66 942408  
My Commission Expires: Jan 29, 2024

