Agenda Item #: 3H-15

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	February 6, 2024	[X] Consent [] Ordinance	[] Regular [] Public Hearing	
Department:	Facilities Developme	nt & Operations		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County for a water meter, a back flow preventer, a fire hydrant, and appurtenant equipment to service the Central County Housing Resource Center (aka Homeless Resource Center 2) located at 3660 Lake Worth Road in unincorporated Palm Beach County.

Summary: The Central County Housing Resource Center (aka Homeless Resource Center 2, HRC2) is located south of the Mid-County Senior Center between Gulfstream Road and Coconut Road in unincorporated Palm Beach County. During the development of HRC2, a water meter, a back flow preventer, a fire hydrant and appurtenant equipment were connected to existing improvements to service the new facility. Palm Beach County Water Utilities Department (WUD) requires the Easement to document the existence and location of its water meter, back flow preventer, fire hydrant and appurtenant equipment. The Easement encompasses an area 20 feet by 35 feet, containing approximately 700 square feet (0.02 acre), and an area 15 feet by 30 feet, containing approximately 450 square feet (0.01 acre). The Easement will be recorded to provide public notice of its existence and location. There is no fiscal impact associated with the approval of this item. (Property & Real Estate Management) District 3 (HJF)

Background and Justification: HRC2 consists of a one story building approximately 20,000 square feet and include 60 new emergency shelter beds, 14 transitional beds, a welcome center, office areas, outdoor facilities, specialized storage, a Palm Beach Sheriff's Office substation and support facilities (kitchen, laundry, pantry, community room, mobile health services facility, shower/restrooms and cleansing room). Construction of the HRC2 facility is anticipated to be complete in the first quarter of 2024. As part of the development process, WUD has requested an easement for their water meter, back flow preventer, fire hydrant and appurtenant equipment to document existence and location.

Attachments:

- 1. Location Map
- 2. Declaration of Easement w/Exhibits A and B

Recommended By:	Jenné l'agal lalle 1/12/24			
	Department Director	Date /		
Approved By:	Kliker	1/26/24		
	County Administrator	Date		

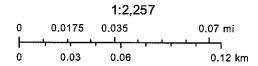
II. FISCAL IMPACT ANALYSIS

A.	Five Year Summary of I	Fiscal Impact	•			
Fisc	al Years	2024	2025	2026	2027	2028
Сар	ital Expenditures		-			and the second second
	erating Costs ernal Revenues					
A production	gram Income (County)					
In-F	Cind Match (County	<u></u>				
NE'	FISCAL IMPACT	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
12-14-15-16	DDITIONAL FTE SITIONS (Cumulative)					
Is I	tem Included in Current I	Budget: Yes	5	No <u>X</u>		
Doe	s this item include the use	of federal fu	nds? Yes	No <u>_X</u>		
Doc	es this item include the use	of state fund	ls? Yes	No <u>X</u>		
Bud	get Account No: Fund	D Program _	and The Arabi and a second	Unit	Object	
В.	Recommended Sources	of Funds/Sui	nmary of Fis	cal Impact:		
	Recommended Sources If \$25,000.00 c No fiscal impact. repor Fixed Asset Number	rted to f	in sauce	frastruct x its CII	ure assett	s) would be I fiscal year end
	Fived Asset Number				De Diles	wo, Ngv., EAMO
	Tract Asset (timber		/ 1		ılı	9124
C.	Departmental Fiscal Re	view:	10-A	<u> 10</u>		
		III. <u>Re</u> v	TEW COMP	<u>VIENTS</u>		
Α.	OFMB Fiscal and/or Co	ontract Devel	opment Con	uments:		
	ASDIA I	20101	L.	N d	· · · · · · · · · · · · · · · · · · · ·	
	OFMB OF VIET	3	Contract	Development	and Control	
В.	Legal Sufficiency:/					
	11)	1				
	Assistant County Attorn	ey				
C.	Other Department Rev	iew:				
	Department Director					
	This summary is not to	be used as a	basis for pay	yment.		

MID-COUNTY - HRC2



October 25, 2023



LOCATION MAP

Prepared by & Return to: Katrina Bellinger, Real Estate Specialist Palm Beach County Property & Real Estate Management Division 2633 Vista Parkway West Palm Beach, Florida 33411-5605

A portion of PCN: 00-43-44-30-01-011-0010

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made______, by PALM BEACH COUNTY, a political subdivision of the State of Florida ("County"), whose address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791.

WHEREAS, County is the owner of that certain real property located within Palm Beach County, Florida as set forth on **Exhibit "A"** attached hereto and made a part hereof (the "Property"); and

WHEREAS, County desires to create an easement over, upon and under such 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 the Property by County.

WITNESSETH:

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 "B"**, 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. This easement or portion thereof can be utilized for a wastewater pump station and said pump station may be fenced in for access control purposes.

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, the County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:	COUNTY:
JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Deputy Clerk	By: Maria Sachs, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By:Assistant County Attorney	By: Permu 1. Mal Collos Department Director

 $G: \PREM\Dev\Open\ Projects\Mid\ County\ Sr.\ Center-HRC\ 2\WUD\ Easement\Declaration\ of\ Easement\ -\ HRC2\ final.\ 11-30-23\ mj.docx$

EXHIBIT "A"

THE PROPERTY

SUBDIVISIONS A, B, C, D, AND E, IN TRACT TWENTY-TWO (22) ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 7, RECORDED IN PLAT BOOK 5, PAGE 72, PALM BEACH COUNTY, FLORIDA, BEING A SUBDIVSION IN SECTION THIRTY (30), TOWNSHIP 44 SOUTH, RANGE 43 EAST.

LESS ANY RIGHT-OF-WAYS

EXHIBIT "B"

THE EASEMENT PREMISES

LEGAL DESCRIPTION:

EXHIBIT "B"

PARCELS OF LAND LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; ALSO BEING A PORTION OF SUBDIVISIONS A, B AND C, TRACT 22, PALM BEACH FARMS CO. PLAT NO. 7, PLAT BOOK 5, PAGE 72, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 30; THENCE S88°04'40"E ALONG THE NORTH LINE OF SAID SECTION 30, A DISTANCE OF 1969.31 FEET; THENCE S01°55'20"W, A DISTANCE OF 684.94 FEET TO A POINT ON THE WEST LINE OF THAT PARTICULAR 45.00 FOOT RIGHT-OF-WAY OF COCONUT ROAD, SAID POINT ALSO BEING POINT OF BEGINNING (1); THENCE S01°27'17"W ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT 'A'; THENCE N88°32'43"W, A DISTANCE OF 35.00 FEET; THENCE N01°27'17"E, A DISTANCE OF 20.00 FEET; THENCE S88°32'43"E, A DISTANCE OF 35.00 FEET TO POINT OF BEGINNING (1).

TOGETHER WITH:

COMMENCING AT THE AFOREMENTIONED REFERENCE POINT 'A'; THENCE S01°27'17"W ALONG THE AFOREMENTIONED WEST RIGHT-OF-WAY LINE OF COCONUT ROAD, A DISTANCE OF 214.74 FEET TO POINT OF BEGINNING (2); THENCE S01°27'17"W ALONG SAID WEST LINE, A DISTANCE OF 30.00 FEET; THENCE N88°32'43"W, A DISTANCE OF 15.00 FEET; THENCE N01°27'17"E, A DISTANCE OF 30.00 FEET; THENCE S88°32'43"E, A DISTANCE OF 15.00 FEET TO POINT OF BEGINNING (2).

LAKÉ WORTH RD. THIS Ş DESCRIPTION CULFSTREAM L~12 JEANNE AVE نج CONGRESS 쏡 ₽ DAYS MICKINSON. IRENE CARLTON AVE.

SEC.30, T.44 S., R.43 E. PALM BEACH COUNTY, FLORIDA

LOCATION MAP: NOT TO SCALE

SAID LANDS CONTAINING 1,150 SQUARE FEET MORE OR LESS.

SURVEY NOTES:

- 1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR, BASED UPON AN AS-BUILT OF THE INSTALLED UTILITY.
- 2. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR AN ENCRYPTED DIGITAL SIGNATURE OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.
- 3. IT IS A VIOLATION OF THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR.
 ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
- 4. COORDINATE VALUES SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 TRANSVERSE MERCATOR, FLORIDA EAST ZONE WITH THE 1990 ADJUSTMENT APPLIED (NAD 83/90).
- 5. LANDS SHOWN HEREON ARE BASED ON A REFERENCED BEARING OF SOUTH 88°04'40" EAST ALONG THE NORTH LINE OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.
- 6. LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD PER CHICAGO TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF SEPTEMBER 6, 2020 @ 8:00 A.M.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON SEPTEMBER 7, 2023 MEETS THE STANDARDS OF PRACTICE RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC CONSULTING ENGINEERS DONALD A. SPICER

PROFESSIONAL SURVEYOR AND MAPPER

REGISTRATION No. 4677 STATE OF FLORIDA

SKETCH & DESCRIPTION

PALM BEACH COUNTY UTILITY EASEMENT

A PORTION OF SUBDIVISIONS A , B AND C TRACT 22, PALM BEACH FARMS CO. PLAT NO. 7 P.B. 5. PG. 72. P.B.C.R.

UNINCORPORATED PALM BEACH COUNTY, FLORIDA .

KEITH

301 EAST ATLANTIC BOULEVARD POMPANO BEACH, FLORIDA 33060-6643 (954) 788-3400 FAX (954) 788-3500 EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 1 OF 2

DRAWING NO. 12235.00 - UTILITY EASEMENT

DATE <u>9/7/2023</u>

SCALE N/A

FIELD BK. <u>1052</u>

DWNG. BY <u>S.M.</u>

CHK. BY <u>D.S.</u>

10/23/23	PER COMMENTS
10/31/23	PER COMMENTS

DATE REVISIONS

