Agenda Item #: 3H-5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

eeting Date:	May 7, 2024	[X] Consent	[] Regular
		[] Ordinance	[] Public Hearing
Department:	Facilities Developm	ent & Operations	
	I.	EXECUTIVE BRIEF	
Beach County for	a storm water manager	otion to approve: a Decl ment system required for incorporated Palm Beach	aration of Easement in favor of Palm the new County Fire Station No. 40 County.
unincorporated Pa (Engineering) requ handles the storm encompasses an ar	alm Beach County. The same alm Beach County. The same as easement for the Facility are a containing approximates.	The County's Engineering the installation of a new shand the road right-of-way nately 60,673.7 square feet	eather Trail east of Military Trail in ng and Public Works Department torm water management system that y for Military Trail. This Easement et (1.39 acres). The Easement will be is no fiscal impact associated with

ackground and Justification: The new 60,673.7 square feet Facility has been constructed on approximately 2.8 acres of County-owned property comprised of two (2) independent parcels, a 1.8-acre civic site that was part of the Windward PUD (approved in 1978) acquired in 1993 and a 1.05-acre site that was acquired by the County between 2017 and 2018 located at 4700 White Feather Trail. The site will accommodate the Facility's storm water management and Engineering's retention requirements.

approval of this item. (Property & Real Estate Management) District 2 (HJF)

Attachments:

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

Recommended By:	3 Donne C. agal Callo	4/01/24
Approved By:	Department Director	Date /
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. F	ive Year Summary of I	iscal Impact	•			
Fiscal Y	Years	2024	2025	2026	2027	202
Operat Extern Progra	l Expenditures ing Costs al Revenues m Income (County) d Match (County					
NET F	ISCAL IMPACT	·	-			
	ITIONAL FTE IONS (Cumulative)	0	0	0	0	0
Is Item	Included in Current B	Budget: Yes		No x	-	
Does th	nis item include the use	of federal fu	nds? Yes	No <u>x</u>		
Does th	nis item include the use	of state fund	ls? Yes	No _x	_	
Budget	Account No: Fund	D Program		Unit	Object _	
B. R	ecommended Sources	of Funds/Sun	nmary of Fis	cal Impact:		
F	No fiscal impact. Land ixed Asset Number	: H08850	0.00 0*	2 3/29	FAND, OFME 124	,
	epartmental Fiscal Re		K.	Shen		
			IEW COMM	<u>IENTS</u>		
	FMB Fiscal and/or Co	ontract Devel	Mu	ments: Mala Malevelopment as	Mad Control	g/a y
	Legal Sufficiency: Assistant County Attorney	<u>~4/</u> 9/.	24	•		
C. C	Other Department Revi	ew:				
Ī	Department Director					

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

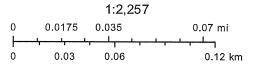
FIRE RESCUE STATION NO. 40

00-42-45-13-00-000-3030 00-42-45-13-08-002-0020



October 31, 2023

LOCATION MAP



Attachment #2
Declaration of Easement w/Ex A and Ex B
13 pages

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: 00-42-45-13-08-002-0020 & 00-42-45-13-00-000-3030

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, the storm water management system within the Property serves both the on-site fire rescue facility and the Military Trail Right-of-Way; and

WHEREAS, County desires to create an easement over, upon and under the storm water management system 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 a storm water management system and shall include the right at any time to install, operate, maintain, service, construct, reconstruct, remove, repair, replace, improve, expand, upgrade, tie into, and inspect the storm water management system, drainage lines and appurtenant improvements in, on, over, under and across the Easement Premises. This easement shall also include the County Engineering Department's right to utilize road right-of-way drainage for Military Trail. Palm Beach County Fire Rescue Department shall maintain the storm water management system and Easement Premises while the Property is utilized to operate a fire rescue facility.

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: Permi l. Agal. College Department Director

EXHIBIT "A"

THE PROPERTY

A parcel of land in the Northwest quarter (N.W. 1/4) of Section 13, Township 45 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

Begin at the Northeast corner of the plat of Windward Palm Beach (A P.U.D), recorded in Plat Book 61, Page 75, of the public records of Palm Beach County, Florida; thence along the East boundary of said plat, S00°51'57"E for 194.46 feet to the North line of Tract "0-13" of said plat; thence along said North line, S89°36'04"W for 499.54 feet to the boundary of said plat; thence along said plat boundary for the following courses:

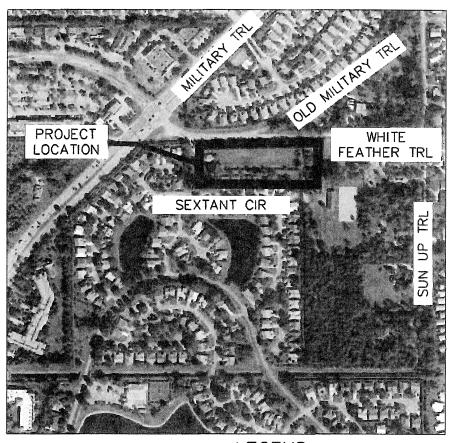
Thence S00°51'47"E for 77.80 feet; thence S89°36'04"W for 160.01 feet; thence N00°51'47"W for 259.32 feet to the South Right-of-Way of White feather Trail, recorded in Official Record Book 192, Page 206, of said public records;

Thence along said South Right-of-Way, N88°54'32"E for 137.67 feet to the point of curvature of a curve concave to the North, having a radius of 1178.92 feet; thence Easterly, along said Right-of-Way and curve to the left, through a central angle of 1°05'08" for 22.34 feet to the South line of Tract "R-2" of said plat; thence along said South line, continue Easterly along said curve through a central angle of 6°11'05" for 127.26 feet to the North Boundary of said plat; thence along said plat boundary, N89°36'04"E for 372.70 feet to the point of beginning.

EXHIBIT B

SKETCH & DESCRIPTION RETENTION POND INGRESS/EGRESS EASEMENT BOYNTON BEACH PALM BEACH COUNTY, FLORIDA

VICINITY MAP



ō Sheet

DESN BY: MBS DRWN BY: _CRM RVWD BY: DAR FLD BK:

BK PG: DATE: 10/16/23 **LEGEND**

LICENSED BUSINESS LICENSED SURVEYOR LB 15 PLAT BOOK PB

P.C.N. PARCEL CONTROL NUMBER PG PAGE

POINT OF BEGINNING P,0.B. P.O.C. POINT OF COMMENCEMENT

PLANNED UNIT DEVELOPMENT P.U.D. RNG RANGE SEC SECTION

TOWNSHIP

TWP

INGRESS/EGRESS EASEMENT

PALM BEACH COUNTY

THE MORGANTI GROUP, INC.

CERTIFIED TO:

21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E



LB-8265 SUPPLYING SURVEY SOLUTIONS
5119 BEECHWOOD RD,
DELRAY BEACH, FL 33484
PH: 561-634-6701 www.ritzel-mason.com

PSM

EXHIBIT B

SKETCH & DESCRIPTION RETENTION POND INGRESS/EGRESS EASEMENT **BOYNTON BEACH**

PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A PORTION OF LAND SITUATE IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AND BEING A PART OF LOT CIVIL SITE TRACT "C" ACCORDING TO THE PLAT OF WINDWARD PALM BEACH (A P.U.D.), AS RECORDED IN PLAT BOOK 61, PAGE 75 OF THE PUBLIC RECORDS OF 'ALM BEACH COUNTY, AS WELL AS A PORTION OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 29387, PAGE 157, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT AT THE NORTHEAST CORNER OF TRACT "R-1" ACCORDING TO THE PLAT OF WINDWARD PALM BEACH (A P.U.D.), AS RECORDED IN PLAT BOOK 61, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE EASTERLY ALONG THE NORTH LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13 N 89°35'59" E, A DISTANCE OF 16.00 FEET TO A POINT; THENCE LEAVING SAID NORTH LINE S 00'51'52" E, A DISTANCE OF 33.77 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE PROPOSED TOP OF BANK PER CONSTRUCTION PLAN CONFORMED DOCUMENTS N 88°53'54" E, A DISTANCE OF 121.75 TO A POINT ON A NON-TANGENT CURVATURE CONCAVE TO THE NORTH; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS N 85°18'29" E, CHORD LENGTH IS 150.66 FEET, RADIUS IS 1199.92 FEET, CENTRAL ANGLE IS 07°11'56' ARC LENGTH IS 150.76 FEET; THENCE N 89'35'59" E, A DISTANCE OF 37.42 FEET; THENCE S 00°51'52" E, A DISTANCE OF 43.17 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 15°34'13" W, CHORD LENGTH IS 11.32 FEET, RADIUS IS 20.00 FEET, CENTRAL ANGLE IS 32°52'10", AND ARC LENGTH IS 11.47 FEET TO A POINT OF REVERSE CURVATURE CONCAVE TO THE SOUTHEAST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 08°22'24" W, CHORD LENGTH IS 8.02 FEET, RADIUS IS 10.00 FEET, CENTRAL ANGLE IS 47*15'48", AND ARC LENGTH IS 8.25 FEET TO A POINT OF COMPOUND CURVATURE CONCAVE TO THE NORTHEAST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 24*32'46" E, CHORD LENGTH IS 25.82 FEET, RADIUS IS 80.00 FEET, CENTRAL ANGLE IS 18*34'33", AND ARC LENGTH IS 25.94 FEET TO A POINT OF COMPOUND CURVATURE CONCAVE TO THE

NORTHEAST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 62°13'56" E, CHORD LENGTH IS 9.51 FEET, RADIUS IS 10.00 FEET, CENTRAL ANGLE IS 56°47'46", AND ARC LENGTH IS 9.91 FEET TO A POINT OF REVERSE CURVATURE CONCAVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 70°19'47" E, CHORD LENGTH IS 13.88 FEET, RADIUS IS 20.00 CENTRAL ANGLE IS 40°36'04", AND ARC LENGTH IS 14.17 FEET

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DESN BY: DRWN BY: CRM

RVWD BY: <u>DAR</u> FLD BK:

BK PG:

DATE: 10/16/23

INGRESS/EGRESS EASEMENT

21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC. 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E



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EXHIBITB

SKETCH & DESCRIPTION RETENTION POND INGRESS/EGRESS EASEMENT BOYNTON BEACH PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

TO A POINT OF REVERSE CURVATURE CONCAVE TO THE NORTHEAST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 70°12′53″ E, CHORD LENGTH IS 48.31 FEET, RADIUS IS 70.00 FEET, CENTRAL ANGLE IS 40°22′16″, AND ARC LENGTH IS 49.32 FEET TO A POINT; THENCE N 89°35′59″ E, A DISTANCE OF 140.06 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS N 66°51′58″ E, CHORD LENGTH IS 15.46 FEET, RADIUS IS 20.00 FEET, CENTRAL ANGLE IS 45°28′01″, AND ARC LENGTH IS 15.87 FEET TO A POINT; THENCE N 44°07′58″ E, A DISTANCE OF 9.30 FEET TO A POINT OF CURVATURE CONCAVE TO THE SOUTHEAST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS N 66°37′58″ E, CHORD LENGTH IS 15.31 FEET, RADIUS IS 20.00 FEET, CENTRAL ANGLE IS 45°00′00″, AND ARC LENGTH IS 15.71 FEET TO A POINT; THENCE N 89°07′58″ E, A DISTANCE OF 44.60 FEET TO A POINT OF NON-TANGENT CURVATURE CONCAVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 45°08′08″ E, CHORD LENGTH IS 20.95 FEET, RADIUS IS 15.00 FEET, CENTRAL ANGLE IS 88'34'22″, AND ARC LENGTH IS 23.19 FEET TO A POINT; THENCE S 00°52′02″ E, A DISTANCE OF 10.95 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 44°22′31″ W, CHORD LENGTH IS 21.30 FEET, RADIUS IS 15.00 FEET, CENTRAL ANGLE IS 90°26′55″, AND ARC LENGTH IS 23.68 FEET TO A POINT; THENCE S 89°35′59″ W, A DISTANCE OF 128.01 FEET TO A POINT; THENCE OF 473.13 FEET TO A POINT; THENCE S 89°35′59″ W, A DISTANCE OF 128.01 FEET TO A POINT; THENCE N 00°51′52″ W, A DISTANCE OF 222.49 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 60,666.5 SQUARE FEET (1.3927 ACRES), MORE OR LESS.

Sheet 3 of 10

DESN BY: MBS
DRWN BY: CRM
RVWD BY: DAR
FLD BK:
BK PG:
DATE: 10/16/23

INGRESS/EGRESS EASEMENT

21-112 PBC FIRE RESCUE STATION 40

FOR: MORGANTI GROUP, INC

4700 WHITE FEATHER TRAIL, BOYNTON BEACH
PALM BEACH COUNTY, FLORIDA
LOCATED IN SEC 13, TWP 45S, RNG 42E



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DATE

MASON II PSM LS 5905

EXHIBITB

SKETCH & DESCRIPTION RETENTION POND INGRESS/EGRESS EASEMENT **BOYNTON BEACH** PALM BEACH COUNTY, FLORIDA

NOTES:

THIS IS NOT A BOUNDARY SURVEY.

THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.

MEPRODUCTIONS, ADDITIONS, OR DELETIONS ARE NOT VALID WITHOUT ORIGINAL SIGNATURE & RAISED SEAL, OR CERTIFIED DIGITAL SIGNATURE AND SEAL OF THE FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF CIVIC SITE TRACT "C" ACCORDING TO THE PLAT WINDWARD PALM BEACH (A P.U.D.) RECORDED IN PLAT BOOK 61, PAGE 75, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF N 89° 36' 04" E.

THE INTENT OF THIS EASEMENT IS TO DEPICT THE TOP OF BANK FOR THE PROPOSED RETENTION POND AS PER CONSTRUCTION DOCUMENTS FOR THE PROPOSED FIRE STATION 40.

THIS EASEMENT FORMS A CLOSED GEOMETRIC FIGURE.

STATE PLANE COORDINATES: COORDINATES SHOWN ARE GRID DATUM — NAD 83, 1990 ADJUSTMENT ZONE — FLORIDA EAST LINEAR UNIT - US SURVEY FOOT

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION ALL DISTANCES ARE GROUND EXCEPT WHERE SHOWN AS GRID SCALE FACTOR - 1.0000365 GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE ROTATION EQUATION: N89°36'04"E (PLAT) 0°0'02" COUNTER-CLOCKWISE N89'36'06"E (GRID)

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PUBLISHED STATE PLANE COORDINATES FOR PRM'S WERE ESTABLISHED FROM THE PROVIDED SURVEY DATA FOR THE CONSTRUCTION OF THE NEW FIRE STATION 40 AND WERE FIELD VERIFIED TO BE ACCURATE.

CERTIFICATION:

DESN BY: _MBS DRWN BY: CRM RVWD BY: DAR FLD BK: BK PG:

DATE: 10/16/23

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECTION AND THAT SAID SKETCH AND LEGAL DESCRIPTION IS IN COMPLIANCE WITH THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

INGRESS/EGRESS EASEMENT

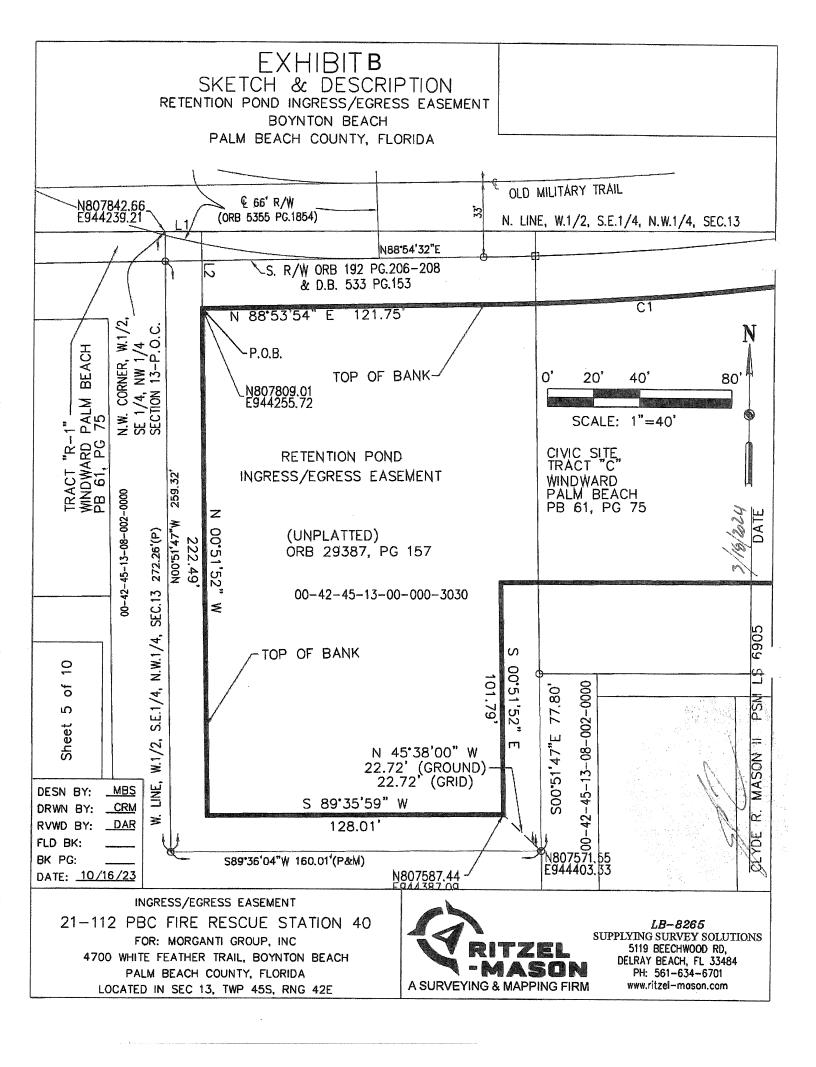
21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E

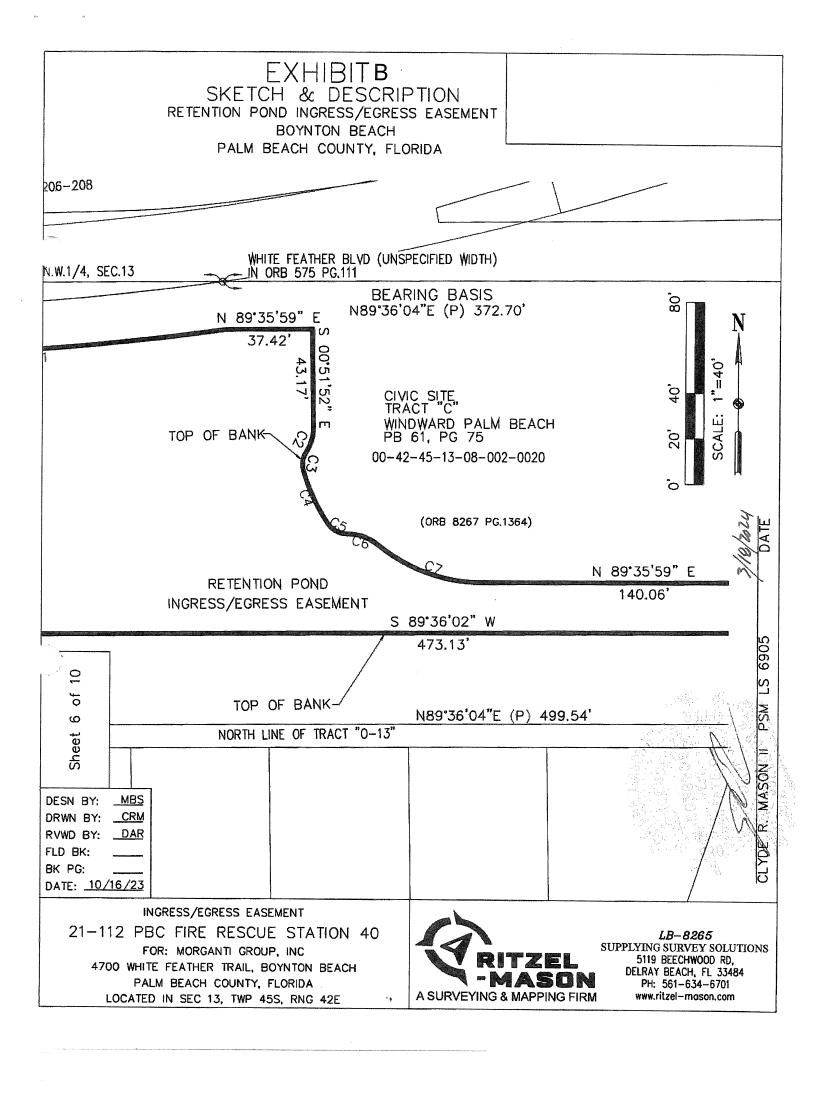


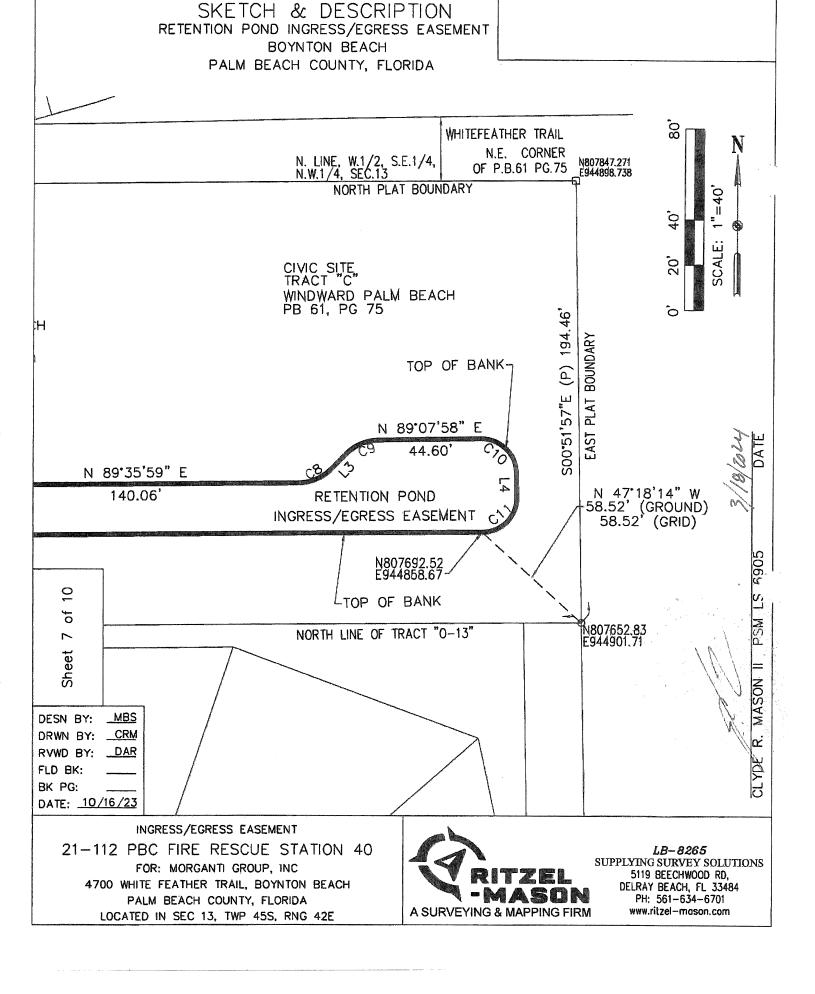
PLAT TO GRID

LB-8265 SUPPLYING SURVEY SOLUTIONS 5119 BEECHWOOD RD, DELRAY BEACH, FL 33484 PH: 561-634-6701 www.ritzel-mason.com

S PSM







EXHIBIT

EXHIBITB SKETCH & DESCRIPTION RETENTION POND INGRESS/EGRESS EASEMENT BOYNTON BEACH

PALM BEACH COUNTY, FLORIDA

	P	.,		
CHORD BEARING	CHORD LENGTH	RADIUS	DELTA	ARC LENGTH
N 85°18'29" E	150.66	1199.92	07°11'56"	150.76
S 15°34'13" W	11.32'	20.00'	32°52'10"	11.47'
S 08°22'24" W	8.02'	10.00'	47°15'48"	8.25'
S 24°32'46" E	25.82'	80.00'	18°34'33"	25.94'
S 62°13'56" E	9.51'	10.00'	56°47'46"	9.91'
S 70°19'47" E	13.88'	20.00'	40°36'04"	14.17'
S 70°12'53" E	48.31'	70.00'	40°22 ' 16"	49.32'
N 66°51'58" E	15.46'	20.00'	45°28'01"	15.87'
N 66°37'58" E	15.31'	20.00'	45°00'00"	15.71'
S 45°08'08" E	20.95'	15.00'	88°34'22"	23.19'
S 44°22'31" W	21.30'	15.00'	90°26'55"	23.68'
	N 85°18'29" E S 15°34'13" W S 08°22'24" W S 24°32'46" E S 62°13'56" E S 70°19'47" E S 70°12'53" E N 66°51'58" E N 66°37'58" E S 45°08'08" E	N 85°18'29" E 150.66' S 15°34'13" W 11.32' S 08°22'24" W 8.02' S 24°32'46" E 25.82' S 62°13'56" E 9.51' S 70°19'47" E 13.88' S 70°12'53" E 48.31' N 66°51'58" E 15.46' N 66°37'58" E 15.31' S 45°08'08" E 20.95'	N 85°18'29" E 150.66' 1199.92' S 15°34'13" W 11.32' 20.00' S 08°22'24" W 8.02' 10.00' S 24°32'46" E 25.82' 80.00' S 62°13'56" E 9.51' 10.00' S 70°19'47" E 13.88' 20.00' S 70°12'53" E 48.31' 70.00' N 66°51'58" E 15.46' 20.00' N 66°37'58" E 15.31' 20.00' S 45°08'08" E 20.95' 15.00'	N 85°18'29" E 150.66' 1199.92' 07°11'56" S 15°34'13" W 11.32' 20.00' 32°52'10" S 08°22'24" W 8.02' 10.00' 47°15'48" S 24°32'46" E 25.82' 80.00' 18°34'33" S 62°13'56" E 9.51' 10.00' 56°47'46" S 70°19'47" E 13.88' 20.00' 40°36'04" S 70°12'53" E 48.31' 70.00' 40°22'16" N 66°51'58" E 15.46' 20.00' 45°28'01" N 66°37'58" E 15.31' 20.00' 45°00'00" S 45°08'08" E 20.95' 15.00' 88°34'22"

5 of ∞ Sheet

LINE No.	BEARING	LENGTH
L1	N 89°35'59" E	16.00'
L2	S 00°51'52" E	33.77'
L3	N 44°07'58" E	9.30'
L4	S 00°52'02" E	10.95

DESN BY: MBS DRWN BY: CRM RVWD BY: DAR FLD BK: BK PG: DATE: 10/16/23

INGRESS/EGRESS EASEMENT

21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E



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