

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 3, 2025

[X] Consent [] Regular
[] Workshop [] Public Hearing

Submitted By: Department of Airports

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- (A) **approve** a Letter of Release (Release) from the Federal Aviation Administration (FAA), releasing approximately 740 square feet (0.017 acres) of unimproved property (Haverhill Road Property) located at the northeast corner of Lynnwood Drive and Haverhill Road west of the Palm Beach International Airport (PBI) from the terms, conditions and obligations of grant assurances with the FAA, subject to the conditions imposed by the FAA in the Release;
- (B) **adopt** a Resolution (Bond Resolution) determining the Haverhill Road Property is not necessary for airport purposes and disposition of the Haverhill Road Property shall not impair the operating efficiency or reduce the revenue producing capability of the County's Airport System;
- (C) **adopt** a Resolution (Right-of-Way Resolution) imposing certain easements, covenants and restrictions on the Haverhill Road Property (Declaration), and designating the Haverhill Road Property for Palm Beach County (County) road right-of-way purposes, subject to the Declaration; and
- (D) **approve** a First Amendment (Amendment) to Amended and Restated Development Site Lease Agreement (R2024-1316) (Lease) with Airport Logistics Park, LLC (ALP), amending the legal description of the leasehold premises to remove the Haverhill Road Property and providing for a reduction in rental in the amount of \$740 per year and a rent credit in the amount of \$4,800 for reimbursement of survey costs.

Summary: ALP leases land west of PBI for the development and operation of industrial warehouse space. Two (2) phases of development have been completed, and ALP is currently developing a third phase on approximately 6.43 acres of its leasehold. The County's Roadway Production Division imposed a condition of site plan approval (DRO-2024-00140) requiring dedication of the Haverhill Road Property as public road right-of-way. The Release releases the Haverhill Road Property from the terms, conditions and obligations of FAA grant assurances. The Bond Resolution is required to allow the Haverhill Road Property to be used for non-airport purposes. The Right-of-Way Resolution designates the Haverhill Road Property for County road right-of-way purposes, subject to the Declaration, which will be recorded in the public records. The Release and the Lease both require payment of the fair market value of the Haverhill Road Property by ALP for the conversion of the use from airport purposes to road right-of-way. An appraisal was completed August 28, 2024, which determined the fair market value to be \$18,500. ALP has paid the County appraised value of the Haverhill Road Property. The Amendment provides for the removal of the Haverhill Road Property from ALP's leasehold and reduction in rental in the amount of \$740 per year. Countywide (HJF)

Background and Justification: The FAA requires the County to execute the Release to release the Haverhill Road Property from grant assurance requirements, subject to a reservation of rights to ensure the Haverhill Road Property will only be used for purposes compatible with PBI's operations. The Bond Resolution documents the Haverhill Road Property release from the Airport System Revenue Bond Resolution (R84-427). The Declaration designates the Haverhill Road Property as public road right-of-way, subject to certain easements, covenants and restrictions required by the FAA, including the right of flight for aircraft, restrictions on the height of obstructions, and prohibition on uses that may interfere with the landing or takeoff of aircraft. The Amendment provides for the removal of the Haverhill Road Property from ALP's leasehold.

Attachments:

1. Release (2)
2. Bond Resolution (w/Exhibit A) (2)
3. Right-of-Way Resolution (w/Exhibit A) (1)
4. Amendment (w/Exhibits A & B) (3)

Recommended By: Sam Burke 5-13-25
Date
Approved By: Donna L. Ayala 5/27/25
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures					
Operating Costs	\$4,800				
Operating Revenues	(\$18,500)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(\$13,700)				
# 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
Does this item include the use of state funds? Yes No X

Budget Account No: Fund 4100 Department 120 Unit 8452 Resource 4416
Budget Account No: Fund 4100 Department 120 Unit 1130 Object 3101

Reporting Category_____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

The sum of \$13,700 for FY2025 represents the difference between the \$18,500 lump-sum payment to the County by ALP for the release of the Haverhill Road Property, and the \$4,800 rent credit to ALP for reimbursement of survey costs. Pursuant to the Lease, rental commences upon the date of beneficial occupancy, which has not occurred. When rental commences, it will be reduced by \$740 based on a 740 square foot area at the initial rental rate of \$1.00 per square foot.

C. Departmental Fiscal Review: Deborah Mancanson 4/28/25

III. REVIEW COMMENTS

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

Lisa M. Burt 5/21/2025
OFMB 4/5/21 9A 5115
Travis Mach 5/22/25
Contract Dev. and Control 26 5/22/25

B. Legal Sufficiency:

[Signature] 3/27/25
Assistant County Attorney

C. Other Department Review:

[Signature]
Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)



U.S. Department
of Transportation
**Federal Aviation
Administration**

Orlando Airports District Office
8427 SouthPark Circle, Ste. 524
Orlando, Florida 32819

February 28, 2025

Mr. Gary M. Sypek
Senior Deputy Director Of Airports
Palm Beach County Department of Airports
846 Palm Beach International Airports
West Palm Beach, Florida 33406-1470

Letter of Release (AIP Grant-Acquired Noise Land)
Land Acquired for Noise Compatibility Purposes
Portions of Parcel "F" – Intersection of N. Haverhill Road
and Lynnwood Drive Road Right-of-Way

Dear Mr. Sypek:

This is in response to your letter dated November 22, 2024, requesting that a "corner clip" of 0.017 acres at the intersection of N. Haverhill Road and Lynnwood Drive be released from the terms, conditions, and obligations of currently active Grant Agreements between the Federal Aviation Administration (FAA) and Palm Beach County.

The requested release is for the purpose of the County's Planning, Zoning and Building Department requiring a right-of-way for the Airport Logistics Park, LLC leased property.

We have concluded that this property, as described below, is no longer needed for noise compatibility purposes and does not need to be redesignated as airport development land:

BEING A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACT B, ACCORDING TO THE AFFIDAVIT OF LOT COMBINATION AS RECORDED IN OFFICIAL RECORD BOOK 33742, PAGE 478; ALSO BEING A PORTION OF LOT 21 IN THE PLAT OF LYNNWOOD AS RECORDED IN PLAT BOOK 24, PAGE 168; ALL IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 01°22'23" WEST (STATE PLANE GRID BEARING DATUM, THE WEST LINE OF SAID SECTION 36 BEARS SOUTH 01°22'23" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO) ALONG THE WEST LINE OF SECTION 36, A DISTANCE OF 1847.33 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LYNNWOOD DRIVE OF SAID PLAT; THENCE SOUTH 88°42'39" EAST ALONG SAID EXTENSION, 67.02 FEET TO A TANGENT POINT OF CUSP BEING A POINT OF CURVATURE AT THE SOUTHWEST CORNER OF SAID LOT 21, BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE NORTHWESTERLY ALONG AN ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 17.00 FEET, A CENTRAL ANGLE OF 90°05'02", AN ARC DISTANCE OF 26.73 FEET TO A POINT OF TANGENCY ON THE WEST LINE OF SAID PLAT OF LYNNWOOD; THENCE NORTH 01°22'23" EAST ALONG THE WEST LINE OF THE PLAT OF LYNNWOOD, 23.03 FEET; THENCE SOUTH 43°40'08" EAST (BEING THE CHORD OF A TANGENT 40-FOOT RADIUS), 56.61 FEET TO THE NORTH LINE OF

LYNNWOOD DRIVE; THENCE NORTH 88°42'39" WEST ALONG THE NORTH LINE OF LYNNWOOD DRIVE, 23.03 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 0.017 ACRES (740 SQUARE FEET), MORE OR LESS.

This land was acquired under 49 CFR 47107(c) (2) (A), and the Airport Owner, by accepting this release, agrees to:

1. Dispose of the land (Fair Market Value of \$18,500) by transferring it out of airport inventory and into general County inventory. The property shall be used for right-of-way purposes. The FAA understands this land is needed for improvements to the area to facilitate a lease with Airport Logistics, LLC. This is clearly a benefit to the airport.
2. Retain or reserve necessary interests or rights to ensure that the subject property will only be used in way that is compatible with the noise levels associated with operating the airport.
3. Update the Airport Noise Land Use Reuse Plan and Inventory and Exhibit A Property Map.

In consideration of these premises, the FAA agrees to release the Airport Owner from the obligations, terms, and conditions of the existing grant agreements as of the date of this agreement as they may relate to the subject property.

Please indicate your acceptance of these conditions by signing and completing the bottom portion of this letter and the enclosed duplicate and returning one copy to our office.

Sincerely,

**JUAN C
BROWN**

Digitally signed by JUAN
C BROWN
Date: 2025.02.28
11:08:39 -05'00'

Juan C. Brown
Manager

1 Enclosure

Accepted for Palm Beach County

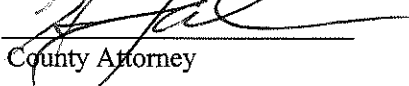
**ATTEST:
JOSEPH ABRUZZO,
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

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

By: _____
Deputy Clerk

By: _____
Maria G. Marino, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: 
County Attorney

**APPROVED AS TO TERMS
AND CONDITIONS**

By: 
Director, Department of Airports



PREPARED BY AND RETURN TO:
Ray Walter, Dept. of Airports
846 Palm Beach Int'l Airport
West Palm Beach, FL 33406

PCN (portion of): 00-42-43-36-16-000-0120

RESOLUTION NO. R2025-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; DETERMINING THAT CERTAIN REAL PROPERTY IS NOT NECESSARY FOR AIRPORT PURPOSES; AND THAT THE DISPOSITION OF SUCH PROPERTY BY THE COUNTY SHALL NOT IMPAIR THE OPERATING EFFICIENCY OF THE AIRPORT SYSTEM OR REDUCE THE REVENUE-PRODUCING CAPABILITY OF THE AIRPORT SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Palm Beach County Airport System Revenue Bond Resolution, dated April 3, 1984 (R84-427), as amended and supplemented (the "Bond Resolution"), the County has issued Airport System Revenue Bonds; and

WHEREAS, in order to dispose of real property existing as part of the Airport System (as defined in the Bond Resolution), Section 708 of the Bond Resolution requires the County to make a determination that such real property is not necessary, useful or profitable in the operation of the Airport System; and

WHEREAS, the Engineering and Public Works Department desires to use certain real property, as more particularly described on Exhibit "A", attached hereto and made a part hereof, (hereinafter referred to as the "Haverhill Road Property"), for County road right of way purposes, which real property is currently part of the Airport System; and

WHEREAS, the Board of County Commissioners of Palm Beach County is satisfied that the Haverhill Road Property is required for County road right of way purposes and is not necessary, useful or profitable in the operation of the Airport System.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. The Board of County Commissioners of Palm Beach County hereby determines that: (a) the Haverhill Road Property is not necessary, useful or profitable in the operation of the Airport System; and (b) use of the Haverhill Road Property for County road right of way purposes will not impair the operating efficiency of the Airport System or reduce the revenue-producing capability of the Airport System.

Section 3. The provisions of this Resolution shall be effective immediately upon adoption hereof.

The foregoing Resolution was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____,
and upon being put to a vote, the vote was as follows:

Commissioner Maria G. Marino, Mayor	-
Commissioner Sara Baxter, Vice Mayor	-
Commissioner Gregg K. Weiss	-
Commissioner Joel G. Flores	-
Commissioner Marci Woodward	-
Commissioner Maria Sachs	-
Commissioner Bobby Powell Jr.	-

The Mayor thereupon declared the Resolution duly passed and adopted this _____
day of _____, 2025.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF
COUNTY COMMISSIONERS

JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
Assistant County Attorney

Exhibit "A"
(the "Haverhill Road Property")

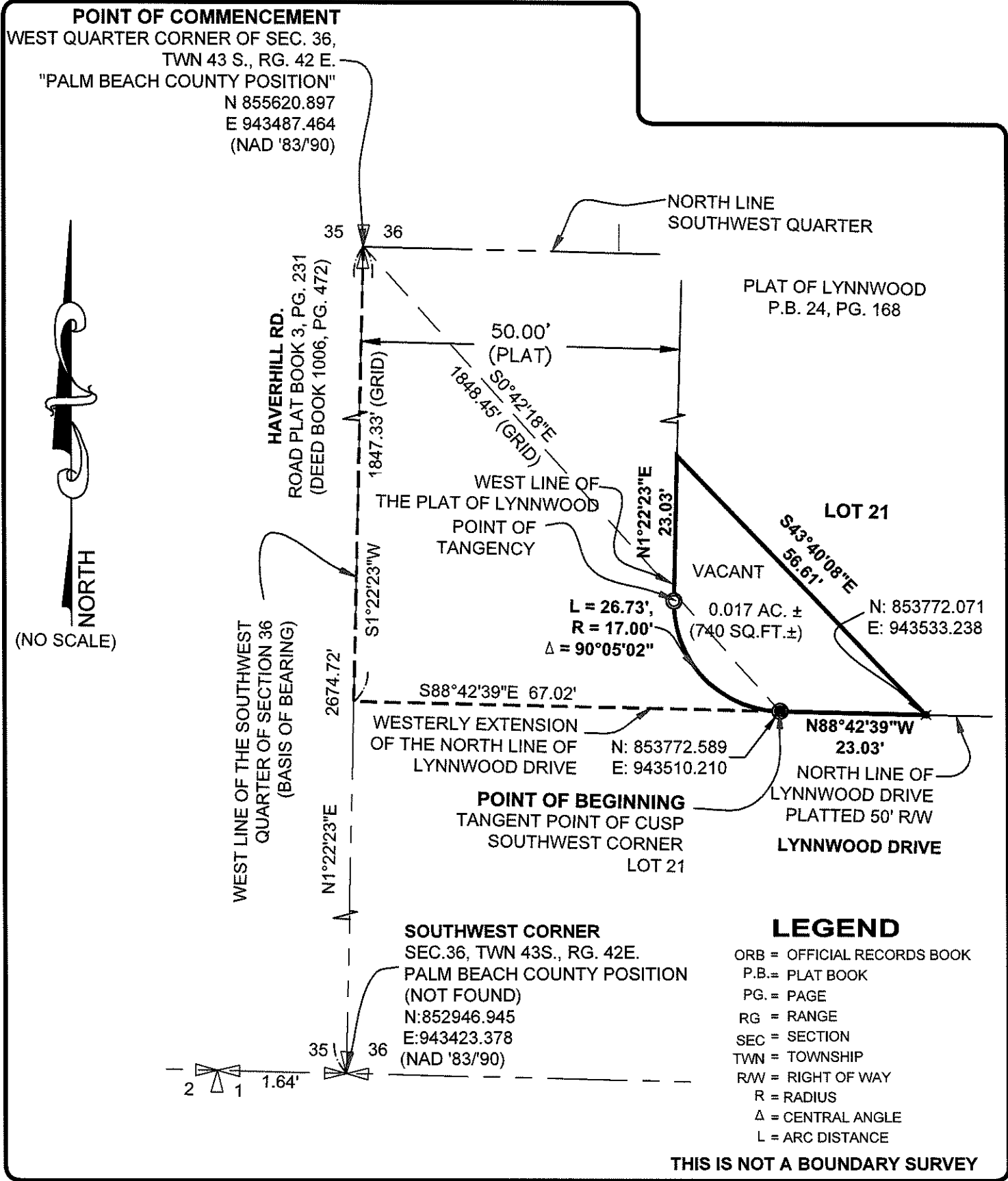
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FIELD BK/PG N/A	DRAWN BY: N.ORTIZ			SKETCH & DESCRIPTION SAFE SITE CORNER CLIP PARCEL 2 - LOT 21 AIRPORT LOGISTICS PARK		F.R.S. & ASSOCIATES, INC. LAND SURVEYORS AND LAND PLANNERS CERTIFICATE OF AUTHORIZATION NO. LB 4241 2257 VISTA PARKWAY, SUITE 4 WEST PALM BEACH, FLORIDA 33411 PHONE (561) 478-7178 FAX (561) 478-7922
JOB NUMBER 23-043.C	APPROVED BY: G. P. WILLIAMS	01/31/25	COUNTY COMMENTS			
SHEET: 1 OF 3	DATE: 09/06/2024	01/17/25	COUNTY COMMENTS			
	BY:	DATE:	REVISIONS			



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JOB NUMBER 23-043.C	APPROVED BY: G. P. WILLIAMS	01/31/25	COUNTY COMMENTS	PARCEL 2 - LOT 21		
SHEET: 2 OF 3	DATE: 09/06/2024	01/17/25	COUNTY COMMENTS	AIRPORT LOGISTICS PARK		
	BY: DATE:		REVISIONS			

PALM BEACH COUNTY
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GRID UNLESS OTHERWISE NOTED
SCALE FACTOR = 1.0000375
GROUND DISTANCE X FACTOR = GRID DISTANCE
BEARINGS SHOWN HEREON ARE GRID DATUM
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE

MEASURED AND CALCULATED DITANCES ARE IN GRID.
PLAT AND/OR DEED DISTANCES ARE GROUND

THE RIGHT-OF-WAYS, EASMENTS AND ENCUMBERANCES
SHOWN HEREON ARE ACCORDING TO THE TITLE
COMMITMENT REPORT PREPARED BY CHICAGO TITLE
INSURANCE COMPANY, COMMITMENT NUMBER 12044076,
EFFECTIVE DATE OCTOBER 16, 2024 @ 8:00 AM.

THIS SKETCH AND LEGAL DESCRIPTION WERE BASED
UPON A SURVEY PERFORMEND USING TRIMBLE REAL
TIME KINEMATICS GPS (RTK GPS) SURVEY EQUIPMENT.
F.R.S. SOURCE SURVEY REFERENCED IS : D 23-043.E

LAND SURVEYOR'S STATEMENT

THE UNDERSIGNED HEREBY CERTIFIES THAT THE SKETCH SHOWN HEREON IS A TRUE
AND CORRECT REPRESENTATION OF THE ACCOMPANYING DESCRIPTION AND COMPLIES
WITH THE TECHNICAL STANDARDS OF PRACTICE 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.

F.R.S. AND ASSOCIATES, INC.
LB 4241

Digitally signed by Dennis
Painter
Date: 2025.01.31 13:25:26 -05'00'

BY: _____

DENNIS PAINTER
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE No. 3542
FOR THE FIRM

NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE
OR DIGITAL FACSIMILE THEREOF

THIS IS NOT A BOUNDARY SURVEY

FIELD BK/PG N/A	DRAWN BY: N.ORTIZ			SKETCH & DESCRIPTION SAFE SITE CORNER CLIP PARCEL 2 - LOT 21 AIRPORT LOGISTICS PARK	 <div>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</div>
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SHEET: 3 OF 3	DATE: 09/06/2024	01/17/25	COUNTY COMMENTS		
BY: DATE:		REVISIONS			

PREPARED BY AND RETURN TO:
Ray Walter, Dept. of Airports
846 Palm Beach Int'l Airport
West Palm Beach, FL 33406

PCN (portion of): 00-42-43-36-16-000-0120

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JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Assistant County Attorney


Exhibit "A"
(the "Haverhill Road Property")

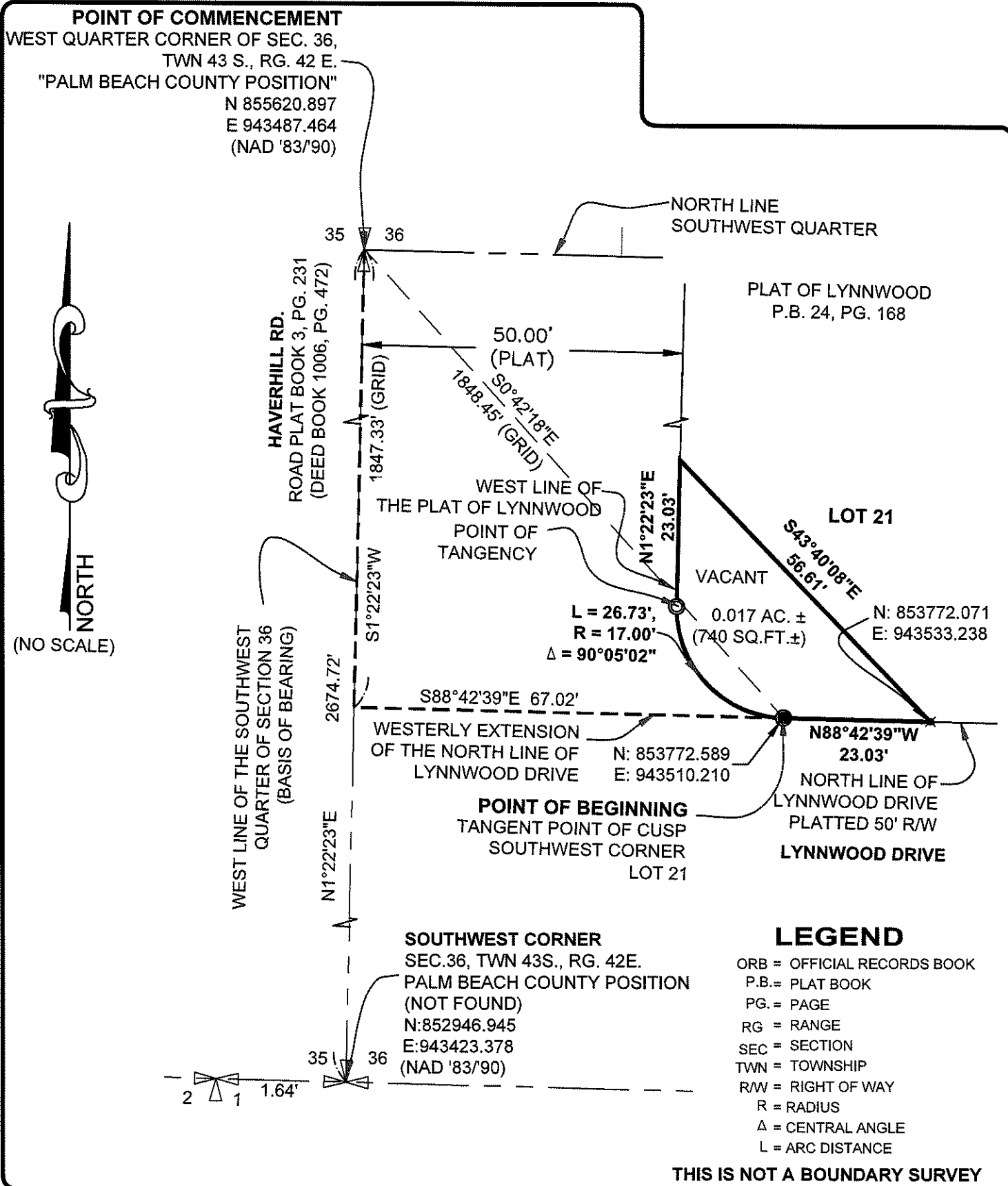
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T: \\Draw\\PBIA McCraney\\ALP-III_COMBINED SURVEY_04.30.24\\SKETCH & DESC-23-043.C\\ALP-III SKETCH & DESC_01.17.25.dwg Jan 31, 2025 - 11:53am

PALM BEACH COUNTY
COORDINATES, BEARINGS AND DISTANCES

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THIS SKETCH AND LEGAL DESCRIPTION WERE BASED
UPON A SURVEY PERFORMED USING TRIMBLE REAL
TIME KINEMATICS GPS (RTK GPS) SURVEY EQUIPMENT.
F.R.S. SOURCE SURVEY REFERENCED IS : D 23-043.E

LAND SURVEYOR'S STATEMENT

THE UNDERSIGNED HEREBY CERTIFIES THAT THE SKETCH SHOWN HEREON IS A TRUE
AND CORRECT REPRESENTATION OF THE ACCOMPANYING DESCRIPTION AND COMPLIES
WITH THE TECHNICAL STANDARDS OF PRACTICE 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.

F.R.S. AND ASSOCIATES, INC.
LB 4241

Digitally signed by Dennis
Dennis Painter Painter
Date: 2025.01.31 13:25:26 -05'00'

BY: _____

DENNIS PAINTER
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE No. 3542
FOR THE FIRM

NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE
OR DIGITAL FACSIMILE THEREOF


THIS IS NOT A BOUNDARY SURVEY

FIELD BK/PG
N/A
JOB NUMBER
23-043.C
SHEET:
3 OF 3

DRAWN BY:
N.ORTIZ
APPROVED BY:
G. P. WILLIAMS
DATE:
09/06/2024

	01/31/25	COUNTY COMMENTS
	01/17/25	COUNTY COMMENTS
BY:	DATE:	REVISIONS

SKETCH & DESCRIPTION
SAFE SITE CORNER
CLIP
PARCEL 2 - LOT 21
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

**FIRST AMENDMENT TO
AMENDED AND RESTATED DEVELOPMENT SITE LEASE AGREEMENT**

THIS FIRST AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT SITE LEASE AGREEMENT (this "Amendment") is made and entered into this 3rd day of June, 2025, by and between Palm Beach County, a political subdivision of the State of Florida ("County"), and Airport Logistics Park, LLC, a Florida limited liability company, having its office and principal place of business at 189 S. Orange Avenue, Suite 1170, Orlando, FL 32801 ("Tenant").

W I T N E S S E T H:

WHEREAS, County, by and through its Department of Airports, owns and operates the Palm Beach International Airport, which is located in Palm Beach County, Florida; and

WHEREAS, the parties entered into that certain Development Site Lease Agreement dated March 12, 2019, (R2019-0300, as amended), which was amended, restated, replaced and superseded by that certain Amended and Restated Development Site Lease Agreement dated October 8, 2024 (R2024-1316) (the "Lease"), under which Tenant is constructing warehouse distribution facilities; and

WHEREAS, Palm Beach County's Roadway Production Division imposed a condition of approval for development (DRO-2024-00140) requiring approximately 740 square feet (0.017 acres) of unimproved property, being a portion of the Phase Three Property described in the Lease, located at the northeast corner of Lynnwood Drive and Haverhill Road as described in Exhibit "B" attached hereto, (the "Haverhill Road Property") to be dedicated as road right-of-way; and

WHEREAS, the Lease provides that if a portion of the Phase Three Property is required for road right-of-way purposes, Tenant shall pay the fair market value of such property and the legal description and rental for the Phase Three Property shall be adjusted; and

WHEREAS, Tenant has paid to County, in consideration for the right-of-way dedication, the sum of \$18,500.00, representing the fair market value of the Haverhill Road Property as set forth in an appraisal; and

WHEREAS, the parties desire to amend the Lease as provided for herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. The foregoing recitals are true and correct and are hereby incorporated herein by reference. Terms not defined herein shall have the meanings set forth in the Lease.

2. That portion of the legal description of the Property described and identified as the "Phase Three Property" in Exhibit "A" to the Lease is hereby deleted in its entirety and replaced with the legal description of the Phase Three Property described in Exhibit "A" attached hereto, containing approximately Two Hundred Seventy-Nine Thousand, Two Hundred Twenty-Two (279,222) square feet of unimproved ground area.

3. Article 5.01(B), Rental for the Phase Three Property, of the Lease is hereby deleted in its entirety and replaced with the following:

(B) *For the Phase Three Property, Tenant shall pay to County initial annual rental in the amount of One Dollar and Zero Cents (\$1.00) per square foot for approximately Two Hundred Seventy-Nine Thousand, Two Hundred Twenty-Two (279,222) square feet of unimproved ground, which is equal to Two Hundred Seventy-Nine Thousand, Two Hundred Twenty-Two Dollars (\$279,222.00) annually.*

4. As provided in Section 2.58 of the Lease, County shall reimburse Tenant the sum of Four Thousand Eight Hundred Dollars and 00/100 (\$4,800.00) for preparation of the updated survey and legal description for the Phase Three Property, to be paid by County as a rental credit to Tenant, which shall be applied by County consecutively and in its entirety against amounts payable to County as they become due, until such time as there is no rental credit amount remaining.

5. Except as modified herein, all terms and conditions of the Lease shall remain in full force and effect.

6. This Amendment shall become effective upon approval by the Board of County Commissioners.

(Signatures follow on next page.)

IN WITNESS WHEREOF, the parties hereto have duly executed this Lease as of the day and year first above written.

ATTEST:
JOSEPH ABRUZZO,
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

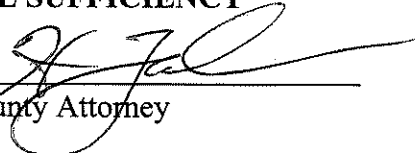
PALM BEACH COUNTY,
A POLITICAL SUBDIVISION OF THE
STATE OF FLORIDA, BY ITS BOARD
OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Maria G. Marino, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

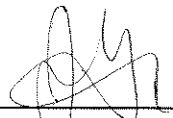
APPROVED AS TO TERMS
AND CONDITIONS

By: 
County Attorney

By: 
Director, Department of Airports

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

TENANT:
AIRPORT LOGISTICS PARK, LLC
By: MPC Airport Logistics Park, LLC, its
Manager


Signature

By: 
Steven E. McCraney, Manager

JAILYNNE GONZALEZ
Print Name


Signature

Andrew M. Jacobs
Print Name

(Seal)

Exhibit "A"
to
First Amendment to Amended & Restated Development Site Lease Agreement

The "Phase Three Property"

That portion of the legal description of the Property identified as the "Phase Three Property" in Exhibit "A" to the Lease is deleted in its entirety and replaced with the legal description attached hereto, containing approximately Two Hundred Seventy-Nine Thousand, Two Hundred Twenty-Two (279,222) square feet of unimproved ground area.

PARCEL 3

BEING A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACT B, ACCORDING TO THE AFFIDAVIT OF LOT COMBINATION AS RECORDED IN OFFICIAL RECORD BOOK 33742, PAGE 478, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; ALSO BEING A PORTION OF LOTS 12 THROUGH 56, AND ALL OF HOMEWOOD DRIVE AND A PORTION OF WAYNE ROAD IN THE PLAT OF LYNNWOOD AS RECORDED IN PLAT BOOK 24, PAGE 168, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19, OF THE SAID PLAT OF LYNNWOOD; THENCE SOUTH 01°25'01" WEST (STATE PLANE GRID BEARING DATUM, THE WEST LINE OF SAID SECTION 36 BEARS SOUTH 01°22'23" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO) ALONG THE EAST LINE OF SAID PLAT OF LYNNWOOD, 465.00 FEET TO THE SOUTHEAST CORNER OF LOT 12; THENCE NORTH 88°42'39" WEST ALONG THE SOUTH LINE OF LOT 12, A DISTANCE OF 109.88 FEET TO THE SOUTHWEST CORNER OF LOT 12 BEING A NON-TANGENT POINT OF CURVATURE THROUGH WHICH A LINE, RADIAL TO THE SUBSEQUENT CURVE, BEARS NORTH 78°23'36" WEST; THENCE ALONG THE WEST LINE OF LOT 12 BEING AN ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 67.00 FEET, A CENTRAL ANGLE OF 10°14'01", AN ARC DISTANCE OF 11.97 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°22'23" EAST, 68.10 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF LOT 13; THENCE NORTH 88°42'39" WEST ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH HALF OF LOT 13, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF LOT 29; THENCE SOUTH 01°22'23" WEST ALONG SAID EAST LINE, 68.02 FEET TO A POINT OF CURVATURE; THENCE ALONG AN ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 17.00 FEET, A CENTRAL ANGLE OF 89°54'58", AN ARC DISTANCE OF 26.68 FEET TO A POINT OF TANGENCY ON THE NORTH LINE OF LYNNWOOD DRIVE; THENCE NORTH 88°42'39" WEST ALONG SAID NORTH LINE, 338.02 FEET TO THE SOUTHWEST CORNER OF LOT 23; THENCE NORTH 01°22'23" EAST ALONG THE WEST LINE OF LOT 23, A DISTANCE OF 105.00 FEET TO THE NORTHWEST CORNER OF LOT 23; THENCE NORTH 88°42'39" WEST ALONG THE NORTH LINE OF LOT 22, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF THE WEST 55.00 FEET OF LOT 22; THENCE SOUTH 01°22'23" WEST ALONG THE EAST LINE OF THE WEST 55.00 FEET OF LOTS 21 AND 22, A DISTANCE OF 105.00 FEET TO THE NORTH LINE OF LYNNWOOD DRIVE; THENCE NORTH 88°42'39" WEST ALONG SAID NORTH LINE, 14.94 FEET; THENCE NORTH 43°40'08" WEST ALONG A CHORD OF A TANGENT 40-FOOT RADIUS CURVE, 56.61 FEET TO THE WEST LINE OF SAID PLAT OF LYNNWOOD; THENCE NORTH 01°22'23" EAST ALONG THE WEST LINE OF THE PLAT OF LYNNWOOD, 389.97 FEET TO THE SOUTHWEST CORNER OF THAT RIGHT-OF-WAY PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 28461, PAGE 659 OF SAID PUBLIC RECORDS; THENCE NORTH 46°19'52" EAST ALONG THE SOUTHEAST LINE OF SAID PARCEL, 56.57 FEET TO THE NORTH LINE OF THE PLAT OF LYNNWOOD; THENCE SOUTH 88°42'39" EAST ALONG THE NORTH LINE OF LYNNWOOD, 579.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 279,222 SQUARE FEET (6.410 AC.), MORE OR LESS

Exhibit “B”
to
First Amendment to Amended & Restated Development Site Lease Agreement
The “Haverhill Road Property”

LEGAL DESCRIPTION

BEING A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACT B, ACCORDING TO THE AFFIDAVIT OF LOT COMBINATION AS RECORDED IN OFFICIAL RECORD BOOK 33742, PAGE 478; ALSO BEING A PORTION OF LOT 21 IN THE PLAT OF LYNNWOOD AS RECORDED IN PLAT BOOK 24, PAGE 168; ALL IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

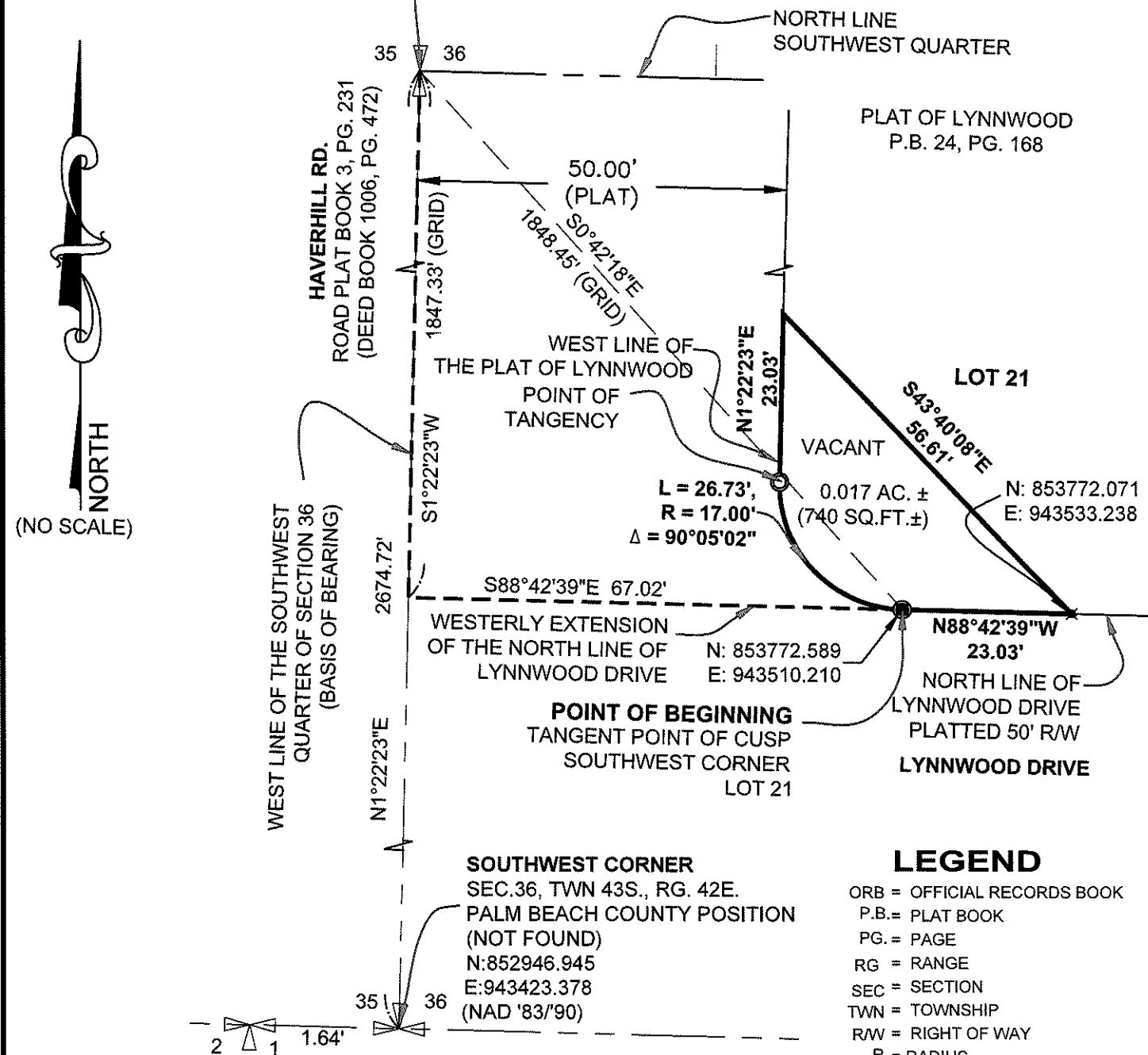
COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 01°22'23" WEST (STATE PLANE GRID BEARING DATUM, THE WEST LINE OF SAID SECTION 36 BEARS SOUTH 01°22'23" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO) ALONG THE WEST LINE OF SECTION 36, A DISTANCE OF 1847.33 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LYNNWOOD DRIVE OF SAID PLAT; THENCE SOUTH 88°42'39" EAST ALONG SAID EXTENSION, 67.02 FEET TO A TANGENT POINT OF CUSP BEING A POINT OF CURVATURE AT THE SOUTHWEST CORNER OF SAID LOT 21, BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE NORTHWESTERLY ALONG AN ARC OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 17.00 FEET, A CENTRAL ANGLE OF 90°05'02", AN ARC DISTANCE OF 26.73 FEET TO A POINT OF TANGENCY ON THE WEST LINE OF SAID PLAT OF LYNNWOOD; THENCE NORTH 01°22'23" EAST ALONG THE WEST LINE OF THE PLAT OF LYNNWOOD, 23.03 FEET; THENCE SOUTH 43°40'08" EAST (BEING THE CHORD OF A TANGENT 40-FOOT RADIUS), 56.61 FEET TO THE NORTH LINE OF LYNNWOOD DRIVE; THENCE NORTH 88°42'39" WEST ALONG THE NORTH LINE OF LYNNWOOD DRIVE, 23.03 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 0.017 ACRES (740 SQUARE FEET), MORE OR LESS.

FIELD BK/PG N/A	DRAWN BY: N.ORTIZ			SKETCH & DESCRIPTION SAFE SITE CORNER CLIP PARCEL 2 - LOT 21 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
JOB NUMBER 23-043.C	APPROVED BY: G. P. WILLIAMS	01/31/25	COUNTY COMMENTS		
SHEET: 1 OF 3	DATE: 09/06/2024	01/17/25	COUNTY COMMENTS		
BY: DATE:		REVISIONS			

As a result, the *Staphylococcus aureus* is considered the most common cause of bacterial pneumonia. Only *Streptococcus pneumoniae* and *Haemophilus influenzae* are considered the most common causes of bacterial pneumonia in children.

POINT OF COMMENCEMENT
WEST QUARTER CORNER OF SEC. 36,
TWN 43 S., RG. 42 E.
"PALM BEACH COUNTY POSITION"
N 855620.897
E 943487.464
(NAD '83/'90)



LEGEND

ORB = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
RG = RANGE
SEC = SECTION
TWN = TOWNSHIP
RW = RIGHT OF WAY
R = RADIUS
Δ = CENTRAL ANGLE
L = ARC DISTANCE

THIS IS NOT A BOUNDARY SURVEY

FIELD BK/PG N/A	DRAWN BY: N.ORTIZ			SKETCH & DESCRIPTION SAFE SITE CORNER CLIP		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
JOB NUMBER 23-043.C	APPROVED BY: G. P. WILLIAMS	01/31/25	COUNTY COMMENTS	PARCEL 2 - LOT 21		
SHEET: 2 OF 3	DATE: 09/06/2024	01/17/25	COUNTY COMMENTS	AIRPORT LOGISTICS PARK		
BY:	DATE:		REVISIONS			

PALM BEACH COUNTY
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED
SCALE FACTOR = 1.0000375
GROUND DISTANCE X FACTOR = GRID DISTANCE
BEARINGS SHOWN HEREON ARE GRID DATUM
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE

THE RIGHT-OF-WAYS, EASMENTS AND ENCUMBERANCES
SHOWN HEREON ARE ACCORDING TO THE TITLE
COMMITMENT REPORT PREPARED BY CHICAGO TITLE
INSURANCE COMPANY, COMMITMENT NUMBER 12044076,
EFFECTIVE DATE OCTOBER 16, 2024 @ 8:00 AM.

THIS SKETCH AND LEGAL DESCRIPTION WERE BASED
UPON A SURVEY PERFORMEND USING TRIMBLE REAL
TIME KINEMATICS GPS (RTK GPS) SURVEY EQUIPMENT.
F.R.S. SOURCE SURVEY REFERENCED IS : D 23-043.E

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THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO
SECTION 472.027, FLORIDA STATUTES.

F.R.S. AND ASSOCIATES, INC.
LB 4241

BY: _____
DENNIS PAINTER
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE No. 3542
FOR THE FIRM

NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE
OR DIGITAL FACSIMILE THEREOF
THIS IS NOT A BOUNDARY SURVEY

FIELD BK/PG N/A	DRAWN BY: N.ORTIZ	JE 04/02/25	COUNTY COMMENTS	SKETCH & DESCRIPTION SAFE SITE CORNER CLIP PARCEL 2 - LOT 21 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
JOB NUMBER 23-043.C	APPROVED BY: G. P. WILLIAMS	01/31/25	COUNTY COMMENTS		
SHEET: 3 OF 3	DATE: 09/06/2024	01/17/25	COUNTY COMMENTS		
BY:	DATE:	REVISIONS			