

AGENDA ITEM SUMMARY

Meeting Date: October 21, 2025

☐ Consent ☐ Regular
☐ Workshop ☐ Public Hearing

Submitted By: Department of Airports

1. Declaration of Easement (1) (w/ Exhibit A)

Recommended By:

Department Director

9/17/25
Date

Date

Approved By:

Deputy County Administrator

Date _____

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
# 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 ___ Department ___ Unit ___ Resource ___
Reporting Category _____

B. 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 Development and Control Comments:

Lisa Mante 9/22/2025
OFMB
LK 9/22

Brandy Mack 9/23/25
Contract Dev. and Control
2679.23.25

B. Legal Sufficiency:

[Signature] 9/24/25
Assistant County Attorney

C. Other Department Review:

Department Director

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made this October 21, 2025, by PALM BEACH COUNTY, a political subdivision of the State of Florida ("County") whose address is c/o Palm Beach County Department of Airports, 846 Palm Beach International Airport, West Palm Beach, Florida, 33406.

WHEREAS, County is the owner and operator of Palm Beach International Airport located in Palm Beach County, Florida (the "Airport"); and

WHEREAS, County desires to create an easement over, upon and under a portion of such Airport 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 such 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 "A", 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.

In accordance with Section 704.09, Florida Statutes, 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 Airport 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, County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:
MICHAEL A. CARUSO
CLERK & COMPTROLLER

PALM BEACH COUNTY, a political
subdivision of the State of Florida by its
Board of County Commissioners

By: _____
Clerk & Comptroller

By: _____
Maria G. Marino, Mayor

(SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: [Signature]
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: [Signature]
Department Director

JOINDER AND CONSENT OF TENANT

KNOW ALL MEN BY THESE PRESENTS:

THAT CVH PBIA, LLC, a Florida limited liability company, having its office and principal place of business at 6750 Poplar Avenue, Suite 107, Memphis, TN 38138 (hereinafter "Tenant"), hereby certifies it is the Tenant under that certain HOTEL DEVELOPMENT SITE LEASE AGREEMENT between Palm Bach County, a political subdivision of the State of Florida ("County") and Tenant, dated March 14, 2017 (R2017-0356, as amended) (hereinafter "Lease") which encumbers the property described on Exhibit "A" attached hereto and incorporated herein, owned by County. Tenant hereby joins in and consents to the above referenced Declaration of Easement.

IN WITNESS WHEREOF, this Joinder and Consent is executed by the undersigned this 29 day of May, 2025

CVH PBIA, LLC

By: [Signature]
Print Name: ELIOT D. COHEN
Title: Member

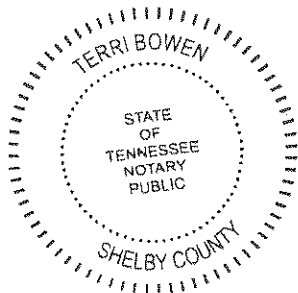
WITNESSES

[Signature]
Print Name: STANLEY COHEN
Address: 6290 Shady Grove Rd. E, Memphis, TN
[Signature]
Print Name: Terri Bowen
Address: 1140 Peleto Watch, Herndon, VA

STATE OF Tennessee
COUNTY OF Shelby

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29 day of May, 2025
by ELIOT COHEN OR CVH PBIA LLC as member for

Personally Known X OR Produced Identification _____
Type of Identification Produced _____



[Signature]
Signature of Notary Public
Terri Bowen
Printed Name Notary Public
Commission No. _____
My Commission Expires: 9.26.27

**Exhibit “A”
(the “Easement Premises”)**

AN EASEMENT FOR PALM BEACH COUNTY UTILITIES PURPOSES LYING IN PALM BEACH INTERNATIONAL AIRPORT PROPERTY, RECORDED IN OFFICIAL RECORD BOOK 619, PAGE 344 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN THE NORTHEAST QUARTER (N.E.1/4) OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, 20.00 FEET WIDE, AND LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 32;
THENCE ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 32, S00°45'40"W FOR 520.05 FEET TO THE SOUTH LINE OF THE CORPORATE LIMITS OF THE CITY OF WEST PALM BEACH, ALSO BEING THE SOUTH LINE OF THE NORTH 520.00 FEET OF THE NORTHWEST QUARTER (N.W.1/4) OF THE SAID NORTHEAST QUARTER (N.E. 1/4) OF SECTION 32;
THENCE ALONG SAID SOUTH LINE, S88°26'29"E FOR 20.79 FEET TO THE POINT OF BEGINNING OF PBC LEASE PARCEL N-11 PBC, PER PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS DRAWING NO.S-3-14-3525, PROJECT NO.2014013-10, DATED 6/11/14;
THENCE ALONG THE BOUNDARY OF SAID LEASE PARCEL FOR THE FOLLOWING COURSES:

THENCE S03°06'23"W FOR 3.24 FEET;
THENCE S25°17'31"E FOR 103.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1200.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 15°30'26" FOR 324.78 FEET TO A POINT OF TANGENCY;
THENCE S40°47'57"E FOR 319.40 FEET;
THENCE S52°09'11"E FOR 57.83 FEET TO THE POINT OF BEGINNING;

(CONTINUED ON SHEET 2 OF 5)

REFER TO SHEET 3 OF 5 FOR SURVEYOR'S NOTES.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

Digitally signed by John E Phillips
Date: 2025.03.12 16:54:00 -04'00'

John E Phillips
JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: _____

REVISIONS:
6/27/19: ADDRESS 6/25/19 WATER UTILITIES COMMENTS
1/29/25: ADDRESS 12/5/19 PBC SURVEY DEPT. COMMENTS
3/10/25: ADDRESS 3/6/25 PBC SURVEY DEPT. COMMENTS

 E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX	HOME 2 SUITES BY HILTON PBC UTILITIES EASEMENT (THIS IS NOT A SURVEY)	
	DRAWN: MDB	PROJ. No. 18-025
	CHECKED: JEP	SCALE: NONE
	LEGAL DESCRIPTION	DATE: 6/14/19
		SHEET 1 OF 5

(CONTINUED FROM SHEET 1 OF 5)

THENCE N64°11'05"E 85.35 FEET; THENCE N19°11'05"E 25.06 FEET;
 THENCE N03°18'55"W 9.02 FEET; THENCE N34°20'55"W 8.00 FEET TO POINT "A";
 THENCE CONTINUE N34°20'55"W 87.44 FEET; THENCE N11°50'55"W 4.00 FEET;
 THENCE N00°35'55"W 44.70 FEET TO POINT "B";
 THENCE CONTINUE N00°35'55"W 180.88 FEET TO POINT "C";
 THENCE CONTINUE N00°35'55"W 14.83 FEET; THENCE N23°05'55"W 11.64 FEET;
 THENCE N00°35'55"W 66.46 FEET TO POINT "D";
 THENCE N89°24'05"E 177.89 FEET; THENCE S00°35'55"E 73.37 FEET;
 THENCE S25°40'18"W 50.34 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE
 OF A 20' EASEMENT;

TOGETHER WITH A 20.00 FEET WIDE EASEMENT LYING 10.00 FEET ON EACH SIDE OF THE
 FOLLOWING DESCRIBED CENTERLINE "A":

BEGIN AT SAID POINT "A";
 THENCE N55°39'05"E FOR 60.30 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE "A";

TOGETHER WITH A 20.00 FEET WIDE EASEMENT LYING 10.00 FEET ON EACH SIDE OF THE
 FOLLOWING DESCRIBED CENTERLINE "B":

BEGIN AT SAID POINT "B";
 THENCE S89°18'08"W FOR 25.24 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE "B";

TOGETHER WITH A 20.00 FEET WIDE EASEMENT LYING 10.00 FEET ON EACH SIDE OF THE
 FOLLOWING DESCRIBED CENTERLINE "C":

BEGIN AT SAID POINT "C";
 THENCE N89°30'01"E FOR 21.80 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE "C";

TOGETHER WITH EASEMENT "D", MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SAID POINT "D";
 THENCE N00°35'55"W FOR 10.00 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT "D";
 THENCE S89°24'05"W FOR 10.00 FEET;
 THENCE N00°35'55"W FOR 6.33 FEET;
 THENCE N37°33'21"W FOR 38.09 FEET;
 THENCE N00°00'00"E FOR 5.49 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE NORTH,
 HAVING A RADIUS OF 62.00 FEET, WHERE A RADIAL LINE BEARS N42°50'39"E;
 THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF
 44°00'37" FOR 47.62 FEET;
 THENCE S01°33'31"W FOR 12.20 FEET;
 THENCE S37°33'21"E FOR 16.38 FEET;
 THENCE S89°24'05"W FOR 19.79 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT "D".

CONTAINING 19,210 SQUARE FEET (0.441 ACRES), MORE OR LESS.

B BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 1860 OLD OKEECHOBEE ROAD., SUITE 509,
 WEST PALM BEACH, FLORIDA 33409
 TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

**HOME 2 SUITES BY HILTON
 PBC UTILITIES EASEMENT**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 18-025
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 6/14/19
	SHEET 2 OF 5

PBC POSITION:
N857935.05
E956911.20
N.1/4 CORNER OF
SECTION 32/43/43
P.O.C.

PBC POSITION:
N857862.57
E959574.82
N.E. CORNER OF
SECTION 32/43/43

S88°26'29"E 2664.48'
NORTH LINE OF THE N.E.1/4 OF SECTION 32/43/43

ABBREVIATIONS:
P.O.B. - POINT OF BEGINNING
ORB - OFFICIAL RECORD BOOK
PG. - PG.
PBC - PALM BEACH COUNTY
PBCUE - PALM BEACH COUNTY
UTILITY EASEMENT
PBIA - PALM BEACH
INTERNATIONAL AIRPORT

R/W - RIGHT-OF-WAY
CL - CENTERLINE
R - RADIUS
Δ - CENTRAL ANGLE
A - ARC LENGTH
SEC. - SECTION

TO POINT OF TERMINATION OF CL
N39°24'19"W 1051.99'
N22°44'41"W 1264.42'
TO P.O.B.
(SEE SHEET 4 OF 5) (SEE SHEET 5 OF 5)

P.O.B. P.B.I.A. LEASE
PARCEL N-11 PBC
S88°26'29"E 20.79'
S. LINE OF THE N. 520' OF THE N.W.1/4 OF THE N.E.1/4 OF SEC. 32/43/43
3.24'
S03°06'23"W S88°26'29"E

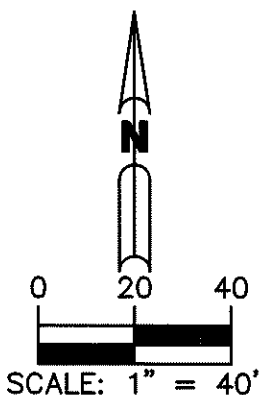
SURVEYOR'S NOTES:

1. 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.

2. STATE PLANE COORDINATES:

COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM: 1983 STATE PLANE,
TRANSVERSE MERCATOR PROJECTION
PROJECT SCALE FACTOR = 1.000045
ALL DISTANCES ARE GROUND.
GROUND DISTANCE X SCALE FACTOR=GRID DISTANCE.

3. BEARINGS ARE BASED ON S88°26'29"E (GRID) ALONG THE NORTH LINE OF THE N.E.1/4 OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST.



(SEE SHEET 4 OF 5)

B BROWN & PHILLIPS, INC.
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TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

HOME 2 SUITES BY HILTON PBC UTILITIES EASEMENT

(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 18-025
CHECKED: JEP	SCALE: 1" = 40'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 6/14/19
	SHEET 3 OF 5

(SEE SHEET 5 OF 5)

UNPLATTED
P.B.I.A. LEASE PARCEL N-11
PBC DRAWING No.S-3-14-3525
PROJECT No.2014013-10
DATED 6/11/14

POINT OF TERMINATION
OF CENTERLINE "B"
OF 20' PBCUE

POINT "B"
P.O.B. OF
CENTERLINE "B"

(SEE SHEET 3 OF 5)

HOME 2 SUITES LEASE PARCEL
(ORB 29530 PG.1244)

(SEE SHEET 3 OF 5)

TO N 1/4 CORNER
N22°44'41"W
126.42'

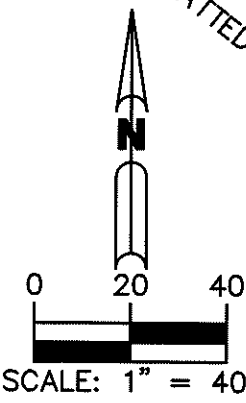
POINT "A"
P.O.B. OF
CENTERLINE "A"

POINT OF TERMINATION
OF CENTERLINE "A"
OF 20' PBCUE

TURNAGE BOULEVARD
UNPLATTED - NO R/W INFORMATION FURNISHED

HOME 2 SUITES LEASE PARCEL
(ORB 29530 PG.1244)

UNPLATTED
P.B.I.A. LEASE PARCEL N-11
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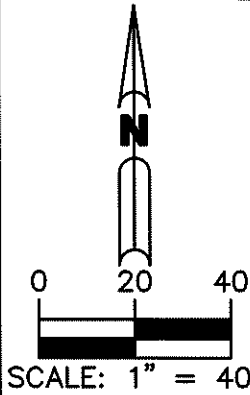
HOME 2 SUITES BY HILTON
PBC UTILITIES EASEMENT

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	SHEET 4 OF 5

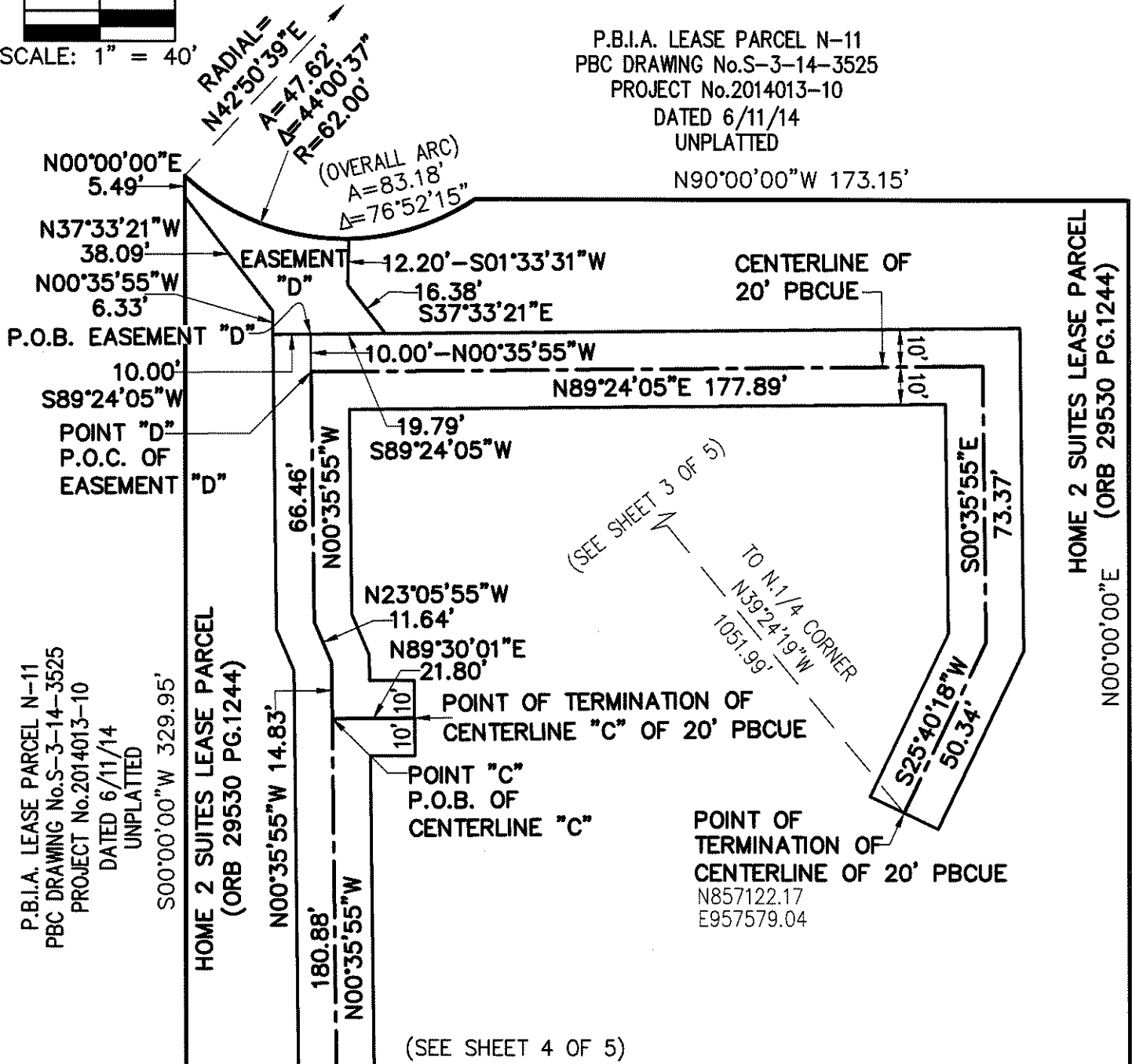
S. LINE OF THE N. 520' OF THE N.W.1/4 OF THE N.E.1/4 OF SEC. 32/43/43

S88°26'29"E



P.B.I.A. LEASE PARCEL N-11
PBC DRAWING No.S-3-14-3525
PROJECT No.2014013-10
DATED 6/11/14
UNPLATTED

N90°00'00"W 173.15'



P.B.I.A. LEASE PARCEL N-11
PBC DRAWING No.S-3-14-3525
PROJECT No.2014013-10
DATED 6/11/14
UNPLATTED

HOME 2 SUITES LEASE PARCEL
(ORB 29530 PG.1244)

N00°35'55"W 14.83'
N00°35'55"W 180.88'

(SEE SHEET 4 OF 5)

POINT OF TERMINATION OF
CENTERLINE OF 20' PBCUE
N857122.17
E957579.04

HOME 2 SUITES LEASE PARCEL
(ORB 29530 PG.1244)



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	SHEET 5 OF 5