Agenda Item: 3L-2

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date:	November 4, 2025	(X) Consent ( ) Workshop	()Regular ()Public Hearing
Department:	Environmental Resources Manage	ement	

#### I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to receive and file:** a Certification of Lands (Certification) granting the Department of the Army (DA) a right of entry upon lands which Palm Beach County (County) owns or in which the County has an easement interest, for the purpose of rehabilitating the Ocean Ridge Segment of the Palm Beach County, Florida Shore Protection Project (Project).

Summary: Hurricane Nicole made landfall in Florida on November 10, 2022, causing significant beach erosion along the one (1)-mile federally-authorized Project area. The County serves as the nonfederal sponsor for the Project, as identified in the Project Cooperation Agreement (PCA) dated September 28, 2005 (R2005-1823). The Board of County Commissioners (BCC) will also consider a Cooperation Agreement (CA) with the DA for rehabilitation of recent storm-induced erosion. The PCA and CA require the County to provide all real property interests necessary for construction, operation, and maintenance of the Project. Pursuant to the PCA and CA, the DA requested that the County execute the Certification, which includes a certification as to County's interests in the lands described therein, subject to the terms and conditions of the Florida Department of Environmental Protection Consolidated Joint Coastal Permit and Sovereign Submerged Lands Authorization (State Authorization) referenced therein, and the terms and conditions of that certain Easement Agreement for Construction Access and Staging between the City of Boynton Beach and Palm Beach County, recorded in Official Records Book 32827, Page 0078, of the Public Records of Palm Beach County, Florida (Easement). The Certification also grants the DA an irrevocable right to enter County-owned lands for purposes of construction, inspection and, if necessary, for the purpose of completing, operating, repairing, maintaining, replacing, or rehabilitating the Project, and subject to the terms and conditions of the Easement, an irrevocable right to enter lands controlled by County through the Easement and State Authorization for construction staging and access. Additionally, the Certification includes limitations on the alteration and encumbrance by the County of the lands described therein. The BCC approved delegation of authority to sign all future Certification of Lands for Countysponsored Segments of the Palm Beach County Shore Protection Project on July 8, 2025 (R2025-0964). In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item.

The County holds 50-year Temporary Construction Easements (TCE's) located throughout the Project area that were certified prior to the most recent rehabilitation construction in 2020. The DA requested verification of the Landward Limit of Easement Premises prior to the upcoming rehabilitation, which the County provided via its survey consultant and the attached Affidavit. Pending BCC consideration of the CA, the next rehabilitation facilitated by the Certification is planned to occur between February and May 2026. There is no cost to the County associated with this item. <u>District 4</u> (ZQ)

**Background and Justification:** The County is the local sponsor of the Project, which consists of beach nourishment from an offshore sand borrow area at regular intervals to mitigate critical erosion. The Project was initially constructed in 1998 and has been renourished three (3) times in 2006, 2014, and 2020. The next planned nourishment will place approximately 500,000 cubic yards of beach-quality sand in response to erosional damages sustained during the passage of Hurricane Nicole in 2022.

#### Attachments:

- 1. Certification of Lands
- 2. Delegation of Authority
- 3. Affidavit Verifying Landward Limit of Existing Temporary Easements

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Recommended by:	Deporat Anu	M 10-8-2025	 
	Department Director	/ Date	— <u>2 Q</u> 10.8.25
Approved by:	100	10122/25	10.0.20
	Deputy County Administrator	Date	

## **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<b>;</b>	2026	2027	2028	2029	2030
Capital Expe	enditures	*******				
Operating C	osts		*******	<u></u>		****
External Rev	venues					
Program Inc	ome (County	/)	**************************************	******	-	
In-Kind Mate	ch (County)					
NET FISCAL	. IMPACT	0				
# ADDITION POSITIONS		)				
Does this ite		nt Budget? le use of fede le use of stat		Yes Yes Yes	No	
Budget Acc	ount No.:					
В.	Recommend	ded Sources	of Funds/Sui	mmary of Fis	cal Impact:	
	There is no f	iscal impact a	ssociated with	n this item.		
C.	Department	Fiscal Revie	w:	Jule.		_
		III. R	EVIEW COM	MENTS		
A.	OFMB Fisca	l and /or Cor	ntract Dev. ar	nd Control Co	omments:	
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В.	Legal Suffic	ั(เๅ๊ iency:		./		P/20/25 Th
	Assistant C	Muzlu	1 10121/25 ey			
C.	Other Depar	rtment Revie	w:			
		Director				

#### **CERTIFICATION OF LANDS**

Project Name: Construction of the Ocean Ridge Segment of the Palm Beach

County, Florida Shore Protection Project

Segment: Ocean Ridge

Palm Beach County, as Project Sponsor of the Ocean Ridge Segment of the Palm Beach County, Florida Shore Protection Project authorized by Public Law (87-874) under Project Cooperation Agreement Dated September 27, 2005, does hereby certify that, subject to the terms and conditions of the Permit (as defined below) and the terms and conditions of the Easement (as defined below), the below described lands are dedicated to the Ocean Ridge Segment of the Palm Beach County, Florida Shore Protection Project (the "Project") and shall not be conveyed, transferred, or otherwise altered or encumbered by Palm Beach County without express written consent of the Department of the Army acting by and through the Assistant Secretary of the Army for Civil Works or his designated representative.

Palm Beach County does certify that, subject to the terms and conditions of the Permit and the terms and conditions of the Easement, it has the below described interests in the lands depicted on the attached map at the time of execution of this Certificate and that these recited interests will not be impaired by Palm Beach County during the life of the Project except as written consent is given as provided above. Palm Beach County also certifies that all persons and business that have been displaced by acquisition of below lands have been relocated in full compliance with Public Law 91-646, as amended and that the other provisions of Public Law 91-646, as amended, have been complied with.

Except as set forth below and subject to the terms and conditions of the Permit and the terms and conditions of the Easement, Palm Beach County does hereby grant to the Department of the Army an irrevocable right to enter for purposes of construction, inspection and, if necessary, for the purpose of completing, operating, repairing, maintaining, replacing, or rehabilitating the Project upon lands which Palm Beach County owns or controls for the Project.

Palm Beach County hereby certifies that, subject to the terms and conditions of the Permit and the terms and conditions of the Easement, it has at least the following minimum interest in the lands depicted on the attached map and as identified thereon:

- 1. Palm Beach County owns Parcel Number 46434522000050140 (Ocean Ridge Hammock Park).
- Florida Department of Environmental Protection Consolidated Joint Coastal Permit and Sovereign Submerged Lands Authorization (Permit Number 0311339-001-JC) (the "Permit").
- 3. Easement Agreement for Construction Access and Staging between the City of Boynton Beach and Palm Beach County, recorded in Official Records Book

32827, Page 0078, of the Public Records of Palm Beach County, Florida (the "Easement"), providing a temporary easement as identified on Exhibit A to the Easement for construction staging (defined as the storage of equipment or supplies in support of the Project) and access to Palm Beach County, its subcontractors, agents and employees, and acknowledging that it may be necessary to remove obstructions from the Easement Premises defined therein, which may include removing vegetation, pruning vegetation, and removing fencing or any other obstacles within the Easement Premises.

Palm Beach County, a political subdivision of the State of Florida

Dated;

Deborah Drum, Director

Department of Environmental Resources Management

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Zelica Quigley

Assistant County Attorney

**Enclosure 4** 



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M.E.S. Jackson-Hit Dierri. Corp. REAL ESTATE	Palm Beach County, Florida Coastal Storm Risk Management Projec Lands Request Map	Mapper D. Davens Reviewen C. Howes Nap Stele: 23 Sep 2026

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#### ATTORNEY'S CERTIFICATE OF AUTHORITY

I, Zelica Quigley, Assistant County Attorney for Palm Beach County, a political subdivision of the State of Florida, certify that Palm Beach County, a political subdivision of the State of Florida, has authority to grant the above authorization for entry; that said authorization for entry is executed by the proper duly authorized director; and that the authorization for entry is in sufficient form to grant the authorization therein stated.

WITNESS my signature as Assistant County Attorney for Palm Beach County, a political subdivision of the State of Florida, this 30 day of September, 2025.

BY:

Zelica Quigley

Assistant County Attorney for

Palm Beach County

Enclosure 5



# FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center 2600 Blair Stone Road Tallahassee, FL 32399-2400 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Shawn Hamilton Secretary

June 12, 2023

Deborah Drum, Director Palm Beach County, DERM 2300 North Jog Road, 4<sup>th</sup> Floor West Palm Beach, FL 33411 DDrum@pbcgov.org

> Permit Modification No. 0311339-003-JN Permit No. 0311339-001-JC, Palm Beach County Ocean Ridge Shore Protection Project

Your request to modify Permit No. 0295380-001-JC was received on May 14, 2023 and has been reviewed by the Florida Department of Environmental Protection (Department) staff. The proposed permit modification is to extend the permit expiration date by an additional 5 years to allow for the 15-year duration afforded by Rule 62B-49.011(1)(a), Florida Administrative Code (F.A.C.). The Department has also taken the opportunity to update the language of several permit conditions to current standards, to remove the requirement for aerial photography from the physical monitoring plan, and to require an update to the biological monitoring plan.

#### Background

On June 24, 2013, the Department issued Permit No. 0311339-001-JC to Palm Beach County to nourish approximately 1.1 miles of beach, from Department reference monuments R-153 to R-159. The proposed project was authorized to occur multiple times on an as-needed basis, with the first event requiring approximately 550,000 cubic yards of fill dredged from one of two authorized offshore borrow areas. On July 17, 2013, the Department issued Variance No. 0311339-002-BV to establish a temporary mixing zone greater than 150 meters.

For additional background, please see the *CONSOLIDATED NOTICE OF INTENT TO ISSUE JOINT COASTAL PERMIT, VARIANCE AND AUTHORIZATION TO USE SOVEREIGN SUBMERGED LANDS* for Permit No. 0311339-001-JC and Variance No. 0311339-002-BV at the following website:

https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=20.186698. 1]&[profile=Permitting Authorization]

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 2 of 15

#### **Current Modification Request**

On November 19, 2015, the Department amended Rule 62B-49, F.A.C., which included options for 15-year permit durations. The Permittee has requested an extension to the duration of permit No. 0311339-001-JC, in accordance with Rule 62B-49.011(5), F.A.C. The Department has determined that the project meets the requirements set forth in Rule 62B-49.011(6)(a)-(d), F.A.C. Therefore, the Department will extend the expiration date of permit No. 0229394-001-JC, from June 24, 2023 to June 24, 2028, in conformance with Rule 62B-49.011(1), F.A.C

#### Update of the General Conditions

Chapter 62B-49, F.A.C., was revised in 2015, and the revision included a new set of General Conditions for Joint Coastal Permits. Therefore, the old set of General Conditions in this permit shall be replaced with the new General Conditions.

#### Inclusion of the General Consent Conditions

The General Consent Conditions have been added to the permit. Rule 18-21.004(7), F.A.C., says:

All authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., ... shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or 258, Part II, F.S.

#### Variance

When the permit was issued, Variance No. 0311339002-BV provided relief from the requirements of Rule 62-4.244(5)(c), F.A.C., to establish a temporary mixing zone greater than 150 meters. Revisions of Rule 62-4.244, F.A.C. no longer requires a variance for an expanded mixing zone for sand placement activities authorized by this permit. Consequently, a variance is no longer required.

#### Update of the General Conditions

Rule 62B-49.013 F.A.C. was revised in 2015, and the revision included an updated set of General Conditions for all permits issued pursuant to this chapter. Accordingly, the General Conditions associated with the 0311339-001-JC have been replaced with the revised set.

#### Update of the General Consent Conditions

Rule 18-21, F.A.C. was revised in 2019, and the revision included an updated set of General Consent Conditions for all sovereign submerged lands authorizations. The General Consent Conditions have therefore been added to the permit.

Update of the Physical Monitoring Plan, Biological Monitoring Plan, and Specific Conditions The Department has also taken the opportunity to revise the Physical Monitoring Plan to remove the requirement for aerial photography, and to revise Specific Condition 27 to require an update to the Biological Monitoring Plan, which is now outdated. Additionally, the Department has updated several Specific Conditions throughout the permit to current Department standards.

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The permit shall be modified as follows:

#### **GENERAL CONDITIONS:**

- 1. All activities authorized by this permit shall be implemented as set forth in the project description, permit drawings, plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The Permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required pursuant to Rule 62B-49.008, F.A.C.
- 2. If, for any reason, the Permittee does not comply with any condition or limitation specified in this permit, the Permittee shall immediately provide the Department and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; and, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
- This permit does not eliminate the necessity to obtain any other applicable licenses or permits that may be required by federal, state, local or special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project that are not addressed in this permit.
- 4. Pursuant to Sections 253.77 and 373.422, F.S., prior to conducting any works or other activities on state-owned submerged lands, or other lands of the state, title to which is vested in the Board of Trustees, the Permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees shall not be considered received until it has been fully executed.
- 5. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
- 6. This permit does not convey to the Permittee or create in the Permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the Permittee. The issuance of this permit does not convey any vested rights or any exclusive privileges.
- 7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the

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- permitted activity. The Permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
- 8. The Permittee, by accepting this permit, specifically agrees to allow authorized
  Department personnel with proper identification and at reasonable times, access to the
  premises where the permitted activity is located or conducted for the purpose of
  ascertaining compliance with the terms of the permit and with the rules of the Department
  and to have access to and copy any records that must be kept under conditions of the
  permit; to inspect the facility, equipment, practices, or operations regulated or required
  under this permit; and to sample or monitor any substances or parameters at any location
  reasonably necessary to assure compliance with this permit or Department rules.
- 9. At least 48 hours prior to commencement of activity authorized by this permit, the Permittee shall electronically submit to the Department, by email at JCPCompliance@dep.state.fl.us, and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date and an affirmative statement that the Permittee and the contractor, if one is to be used, have read the general and specific conditions of the permit and understand them.
- 10. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, shipwreck remains or anchors, dugout canoes or other physical remains that could be associated with Native American cultures, or early Colonial or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The Permittee, or other designee, shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)245-6333 or (800)847-7278, as well as the appropriate permitting agency office. Project activities shall not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, F.S.
- Mithin 30 days after completion of construction or completion of a subsequent maintenance event authorized by this permit, the Permittee shall electronically submit to the Department, by email at JCPCompliance@dep.state.fl.us, and the appropriate District office of the Department a written statement of completion and certification by a registered professional engineer. This certification shall state that all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be

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noted and explained on as-built drawings electronically submitted to the Department, by email at JCPCompliance@dep.state.fl.us.

The General Consent Conditions shall be added to the permit as follows (<u>underlines</u> are additions):

#### **GENERAL CONSENT CONDITIONS:**

- 1. Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- 2. Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- 3. Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- 4. Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- 5. Construction, use or operation of the structure or activity shall not adversely affect any species that is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004 and 68A-27.005, F.A.C.
- 6. Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
- 7. Structures or activities shall not create a navigational hazard.
- 8. Activities shall not interfere with the public easement for traditional uses of the sandy beaches provided in section 161.141, F.S.
- 9. Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident or fire.

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10. Structures or activities shall be constructed, operated and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 18-21.004(1)(g), F.A.C., or any other applicable law.

The specific conditions shall be modified as follows (<u>underlines</u> are additions, <del>strikethroughs</del> are deletions):

- 1. The terms, conditions and provisions of the required easement shall be met. The Notice to Proceed shall not be issued and e Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees, until all easement documents have been executed to the satisfaction of the Department.
- 4. For each construction event under this permit, no work shall commence until the Permittee has satisfactorily submitted all information noted in this condition. At least 30 days prior to commencement of construction, the Permittee shall submit the following items for review by the Department. Unless otherwise notified by the Department within 15 days of receipt of all information specified below, the Permittee shall assume the submittals are satisfactory:

Prior to the initial event, and each subsequent event, the Permittee shall not commence work under this permit until the Permittee has received a written Notice to Proceed from the Department. At least 30 days prior to the requested date of issuance of the notice to proceed, the Permittee shall submit a written request for a Notice to Proceed and the following items for review and approval by the Department:

- a. An electronic copy of detailed *final construction plans and specifications* for all authorized activities. The plans and specifications must be consistent with the activity description of this permit and the attached permit drawings, and shall also be certified by a P.E., who is registered in the State of Florida. If electronic certification is not available, a hard copy of the plans and specifications would also be required. The plans and specifications shall include a description of the dredging and construction methods to be utilized and drawings and surveys that show all biological resources and work spaces (e.g., anchoring area, pipeline corridors, staging areas, boat access corridors, etc.) to be used for this project.
- b. Turbidity Monitoring: In order to assure that turbidity levels do not exceed the compliance standards established in this permit, construction at the project site shall be monitored closely by an independent third party with formal training in water quality monitoring and professional experience in turbidity monitoring for coastal construction projects. Also, an individual familiar with beach construction techniques and turbidity monitoring shall be present at all times when turbidity generating activities are occurring. This individual shall have authority to alter construction techniques or shut down the dredging or beach construction operations if turbidity levels exceed the compliance standards established in this permit.

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- i. *Qualifications*. The names, credentials (demonstrating experience and qualifications) and 24-hour contact information of those individuals performing these functions;
- ii. A Scope of Work for the turbidity monitoring to ensure that the right equipment is available to conduct the monitoring correctly at any location, and under any conditions;
- iii. <u>Draft turbidity sampling map</u>. An example of the geo-referenced map that will be provided with turbidity reports, including aerial photography and the boundaries of biological resources and/or OFW (pursuant to Specific Condition 31)

Turbidity monitoring qualifications. Construction at the project site shall be monitored closely by individual with professional experience in monitoring turbidity for beach nourishment projects. Also, an individual familiar with beach construction techniques and turbidity monitoring shall be present on site at all times during construction. This individual shall have authority to alter construction techniques or shut down the dredging or beach construction operations if turbidity levels exceed the compliance standards established in this permit. The names and documented qualifications of those individuals performing these functions, along with 24 hour contact information, shall be submitted. In order to be qualified, the person(s) conducting the turbidity monitoring shall have had formal training in water quality monitoring, with professional experience monitoring turbidity for beach nourishment projects, and experience using the Department's protocol for Field Measurement of Turbidity: http://publicfiles.dep.state.fl.us/dear/sas/sopdoc/2008sops/ft1600.pdf

- e. A Scope of Work for turbidity monitoring to ensure that the right equipment is available to accurately measure turbidity and access the appropriate sampling locations (including sites that may be in or landward of the surf).
- c d. Rock Removal Plan. A Rock Removal and Disposal Plan that describes the means and methods the CONTRACTOR will implement to monitor for the presence of rock in the fill material and the removal and disposal methods that will be implemented in the event non-compliant material is discharged on to the beach.
- d. <u>Updated Biological Monitoring Plan</u>. The 2012 Biological Monitoring Plan shall be updated to current Department standards prior to subsequent construction (Specific Condition 27).
- 6. Pre-Construction Conference. After all items required by Specific Condition 4 have been submitted to the Department, the Permittee shall conduct a pre-construction conference to review the specific conditions and monitoring requirements of this permit with the Permittee's contractors, the engineer of record, those responsible for turbidity monitoring, those responsible for protected species monitoring, staff representatives of

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the Fish and Wildlife Conservation Commission (FWC) and the JCP Compliance Officer (or designated alternate) prior to each construction event. In order to ensure that appropriate representatives are available, at least twenty-one (21) days prior to the intended commencement date for the permitted construction, the Permittee is advised to contact the Department, and the other agency representatives listed below:

<u>DEP, JCP Compliance Officer</u> <u>e-mail: JCPCompliance@dep.state.fl.us</u>

FWC Imperiled Species Management Section

e-mail: marineturtle@myfwc.com

FWC, Regional Biologist

Contact list: http://myfwc.com/conservation/you-conserve/wildlife/shorebirds/

The Permittee is also advised to schedule the pre-construction conference at least a week prior to the intended commencement date. At least seven (7) days in advance of the pre-construction conference, the Permittee shall provide written notification, advising the participants of the agreed-upon date, time and location of the meeting, and also provide a meeting agenda and a teleconference number.

If the actual construction start date is different from the expected start date proposed during the preconstruction conference, at least 48 hours prior to the commencement of each dredging event, the Permittee shall ensure that notification is sent to the FWC, at marineturtle@myfwc.com, indicating the actual start date and the expected completion date. The Permittee shall also ensure that all contracted workers and observers are provided a copy of all permit conditions.

Pre-Construction Conference. The Permittee shall conduct a pre-construction conference to review the specific conditions and monitoring requirements of this permit with the Permittee's contractors, the engineer of record, the turbidity monitoring personnel and the JCP Compliance Officer (or designated alternate). In order to ensure that appropriate representatives are available, at least twenty one (21) days prior to the intended commencement date for the permitted construction, the Permittee is advised to contact the Department, and the other agency representatives listed below:

JCP Compliance Officer
phone: (850) 414-7716
e-mail: JCP Compliance@dep.state.fl.us

DEP Southeast District Office Submerged Lands & Environmental Resources

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400 North Congress Avenue, Suite 200 West Palm Beach, FL 33401-2913 (561) 681-6600

Imperiled Species Management Section
Florida Fish & Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
phone: (850) 922-4330

fax: (850) 921-4369 or email: marineturtle@myfwc.com

The Permittee is also advised to schedule the pre-construction conference at least a week prior to the intended commencement date. At least seven (7) days in advance of the pre-construction conference, the Permittee shall provide written notification, advising the participants (listed above) of the agreed-upon date, time and location of the meeting, and also provide a meeting agenda and a teleconference number.

- 24. The physical monitoring and associated reporting shall be conducted in accordance with the attached approved physical monitoring plan dated <u>June 6, 2023</u>. April 9, 2013.
- 27. Prior to subsequent construction events under this permit, the Permittee shall, in collaboration with the Department, submit an updated Biological Monitoring Plan.

  Construction shall not commence until the updated Biological Monitoring Plan is approved by the Department.

The Permittee shall adhere to the attached Biological Monitoring Plan, which is a binding part of this permit. The Permittee shall acquire written approval from the Department prior to implementing any substantial revisions to the approved Plan. As part of the Plan, the Permittee shall monitor the artificial reef and the downdrift hardbottom with annual coastal aerial photography, and conduct in water ground truthing within 72 hours of the date that the aerials are taken. In addition, the Permittee shall verify the location of the landward edge of the down drift reef at previously established transect locations (from the 2005 project). This verification of aerial photos shall occur once before the construction (2013) and once after (2014).

As long as the artificial reef continues to function as an ephemeral hardbottom, i.e., is not persistently buried between nourishment intervals, the previous hardbottom impacts identified in Permit No. 0244200 001 JC will remain offset.

30. The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals compliance turbidity levels greater than 29 NTUs above the associated background at the dredge site or at the beach nourishment site construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 10 of 15

levels. Any such occurrence shall also be immediately reported to the Department via email at <a href="JCP Compliance@dep.state.fl.us">JCP Compliance@dep.state.fl.us</a>. The subject line of the email shall state "TURBIDITY EXCEEDANCE". and include in the subject line, "TURBIDITY EXCEEDANCE", and the Project Name and Permit Number. Also notify the Department's Southeast District office.

Any project-associated discharge other than dredging or fill placement (e.g., scow or pipeline leakage) shall be monitored as close to the source as possible. If the turbidity level exceeds 29 NTUs above background, the construction activities related to the exceedance shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. This turbidity monitoring shall continue every hour until background turbidity levels are achieved or until otherwise directed by the Department. The Permittee shall notify the Department, by separate email to the JCP Compliance Officer, of such an event within 24 hours of the time the Permittee first becomes aware of the discharge. The subject line of the email shall state "OTHER PROJECT-ASSOCIATED DISCHARGE, TURBIDITY EXCEEDANCE". "PROJECT ASSOCIATED DISCHARGE OTHER".

When reporting a turbidity exceedance, the following information shall also be included:

- a. the Project Name;
- b. the Permit Number:
- c. location and level (NTUs above background) of the turbidity exceedance:
- d. the time and date that the exceedance occurred; and
- e. the time and date that construction ceased.

Prior to re-commencing the construction, a report shall be emailed to the Department with the same information that was included in the "Exceedance Report", plus the following information:

- a. turbidity monitoring data collected during the shutdown documenting the decline in turbidity levels and achievement of acceptable levels;
- b. corrective measures that were taken; and
- c. cause of the exceedance.
- 31. **Turbidity Reports**. All turbidity monitoring data shall be submitted within one week of analysis. The data shall be presented in tabular format, indicating the measured turbidity levels at the compliance sites for each depth, the corresponding background levels at each

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 11 of 15

depth and the number of NTUs over background at each depth. Any exceedances of the turbidity standard (29 NTUs above background) shall be highlighted in the table. In addition to the raw and processed data, the reports shall also contain the following information:

- a. time of day samples were taken;
- b. dates of sampling and analysis;
- c. GPS location of sample and source. When possible, coordinates should be provided in decimal degrees with a 5 decimal level of precision (i.e., 0.00001). Please also indicate the datum;
- d. depth of water body;
- e. depth of each sample;
- f. antecedent weather conditions, including wind direction and velocity;
- g. tidal stage and direction of flow;
- h. water temperature;
- i. a geo-referenced map, overlaid on an aerial photograph, indicating the sampling locations (background and compliance), location of active construction, the visible plume pattern and direction of flow. The map shall also include the boundaries of any benthic resources or OFW. A sample map shall be submitted to and reviewed by the Department prior to construction (Specific Condition 4); a map (overlaid on an aerial photograph) indicating the sampling locations, dredging and discharge locations, and direction of flow;
- j. a statement describing the methods used in collection, handling, storage and analysis of the samples;
- k. a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection, calibration of the meter and accuracy of the turbidity and GPS data;
- 1. When samples cannot be collected, include an explanation in the report. If unable to collect samples due to severe weather conditions, include a copy of a current report from a reliable, independent source, such as an online weather service.

Monitoring reports shall be submitted by email to the Department's JCP Compliance Officer. In the subject line of the reports, include the Project Name, Permit Number and

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 12 of 15

the dates of the monitoring interval. Failure to submit reports in a timely manner constitutes grounds for revocation of the permit. When submitting this information to the Department's JCP Compliance Officer, on the cover page to the submittal and at the top of each page, please state: "This information is provided in partial fulfillment of the monitoring requirements in Permit No.0311339-001-JC, for the monitoring period [XXX]"

Monitoring reports shall be submitted by email to the JCP Compliance Officer. In the subject line of the reports, on the cover page to the submittal and at the top of each page, include the Project Name, Permit Number and the dates of the monitoring interval. Failure to submit reports in a timely manner constitutes grounds for revocation of the permit.

Pursuant to provisions of 62B-49.011(5), F.A.C., the expiration date of the permit is changed as follows:

Original Expiration Date: August 11, 2021

New Expiration Date: August 11, 2026

After thorough review of your application, staff finds that the proposed modification is not expected to adversely affect water quality or change the determination that the project is clearly in the public interest. Staff has also determined that the proposed alteration does not increase the potential for adverse impact on the coastal system, public beach access seaward of the mean high water line or nesting sea turtles and hatchlings and their habitat, and that the proposed alteration does not reduce the design adequacy of the project. Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the **permit is hereby modified** as stated above. By copy of this letter, we are notifying all necessary parties of the modification.

This letter of approval extends the expiration date of permit No. 0295380-001-JC from August 11, 2021, to August 11, 2026. This letter must be attached to the original permit.

This permit is hereby modified unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), as provided below. The procedures for petitioning for a hearing are set forth below. Mediation under Section 120.573, F.S., is not available for this proceeding.

#### NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 13 of 15

administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

#### Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 14 of 15

intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

#### **Extension of Time**

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### Mediation

Mediation is not available in this proceeding.

#### **FLAWAC Review**

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

#### **Judicial Review**

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

When there has been no publication of notice of agency action or notice of proposed agency action as prescribed in Rule 62-110.106, F.A.C., a person may request a copy of the agency action. The Department shall upon receipt of such a request, if agency action has occurred, promptly provide the person with notice. The Department does not require notice of this agency action to be published. However, the applicant may elect to publish notice as prescribed in Rule 62-110.106, F.A.C., which constitutes notice to the public and establishes a time period for submittal of any petition.

If you have any questions regarding this matter, please contact Zach Boudreau by email at William.Boudreau@dep.state.fl.us or by telephone at (850) 245-7585.

Notice of Permit Modification Permit Modification No. 0311339-003-JN Ocean Ridge Shore Protection Project Page 15 of 15

#### **EXECUTION AND CLERKING:**

Executed in Tallahassee, Florida.
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Gregory W. Garis
Program Administrator
Beaches, Inlets and Ports Program
Office of Resilience and Coastal Protection

Attachments:

Physical Monitoring Plan (revised June 6, 2023)

#### CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

cc: Sean Green, ORCP
Ivana Kenny Carmola, ORCP
JCP Compliance
Brendan Biggs, ORCP
Nathan Bonanno, ORCP
Jason Andreotta, DEP SE District
FWC Imperiled Species

#### FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Diana Dukhovskaya 06/12/2023
Clerk Date

# 

CFN 20210403978

R21-062

Return To: Tracy Logue, Coastal Geologist Palm Beach County Environmental Resources Management 2300 North Jog Road, 4<sup>th</sup> Floor West Palm Beach, FL 33411-2743

# R 2 0 2 1 109 Z AUG 17 2021 INT AGREEMENT FOR CONSTRUCTION ACCESS AND STAGING

THIS EASEMENT AGREEMENT is made this day of City of Boynton Beach, whose mailing address is 100 East Ocean Avenue, Boynton Beach, FL 33435 ("Grantor"), and Palm Beach County, a political subdivision of the State of Florida, whose mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401, ("Grantee"), both being herein referred to collectively as the "parties," for the sole purpose of providing construction access and staging for the OCEAN RIDGE SHORE PROTECTION PROJECTS and the SOUTH LAKE WORTH INLET MAINTENANCE DREDGING PROJECTS ("Projects").

- 1. Grant of Easement. In consideration of the mutual benefits to be derived from the Projects, the sufficiency of which is hereby acknowledged by the parties, the Grantor hereby grants, bargains, and conveys to the Grantee, its subcontractors, agents and employees, a construction staging and access easement on, over, under, through and across the three separate parcels described in Exhibit "A," attached hereto and incorporated herein ("the Easement Premises"). This instrument is further subject to all easements, restrictions, covenants, conditions, limitations, and reservations of record, if any,
- 2. Not a Public Dedication. Nothing herein contained shall be deemed to be a gift to any public authority or any third party, and this Easement shall be strictly limited to and for the limited purposes expressed herein. Nothing herein contained shall be deemed to give the public or any other persons, other than Grantor, Grantor's successors, assigns, officers, directors, partners, contractors, tenants, lessees, mortgagee, agents, employees, guests, customers, invitees, members, and Grantee and its subcontractors, agents, and employees any access rights to the Easement Premises or access to the beach from the Grantor's property other than as may have existed prior to the date of this Agreement. Grantor hereby reserves the right to the continued free use of the property in a manner not inconsistent with the rights granted herein to Grantee and subject to the terms and conditions of this Agreement.
- 3. <u>Grantee's Use.</u> The Easement Premises may be used by Grantee, its subcontractors, agents, or employees solely for the purpose of providing access during and only during periods of construction or maintenance associated with the Projects. For purposes of this Easement, staging is defined as the storage of equipment or supplies in support of the Projects. The parties acknowledge that it may be necessary to remove obstructions from the Easement Premises and this may include removing vegetation, pruning vegetation, and removing fencing or any other obstacles within the Easement Premises. In the event the Grantee's use of the Easement Premises, as defined herein, frustrates or interferes with the Grantor's conducting its business or the public's activities, the parties will work cooperatively to identify a new Easement Premises in a location suitable for the Grantee's use in accordance with this Easement. Any amendment to the Easement Premises pursuant to this paragraph shall be signed by both parties, and recorded in the Official Public Records of Palm Beach County.
- 4. Grantee's Obligations. Grantee shall obtain all permits and approvals required by all applicable governmental entities. Grantee shall safeguard and maintain the Easement Premises and its immediate environs throughout the term of the Projects. Any damage caused by Grantee or its agents or employees to the surface or sub-surface portion of the Easement Premises or any property of the Grantor or others located therein shall be repaired by the Grantee in a workmanlike manner satisfactory to the Grantor. Such repair work may include, but is not limited to, placing sod on the easement area and re-routing any existing irrigation lines and repaving. Grantee shall use its best efforts to restore the easement area no later than three months after the completion of each Project event requiring construction access in support of the Project. Generally, construction work associated with the Projects will commence on or about November 1 and may continue through

8,/311/2021 Counts: lerk

April 30 of the following year; construction access will be required during that period.

Grantee shall provide Grantor with sixty (60) days prior written notification of Grantee's desire to enter onto the Easement Premises. For ongoing maintenance associated with the Projects and/or emergency projects, the Grantee may request to enter onto the Easement Premises without the full sixty (60) days prior written notification, subject to Grantor's written approval.

- 5. <u>Grantor's Obligations.</u> Grantor shall not commit any act that would interfere with or impede the rights granted to Grantee, its subcontractors, agents or employees under this Agreement.
- 6. Term. This Agreement shall be effective upon execution by both parties and shall continue through October 31, 2045, except as set forth in this section and in section 16 below. The rights and Easement granted herein shall automatically terminate October 31, 2045, unless sooner terminated. Either party may terminate this Agreement for convenience upon thirty (30) days prior written notice to the other party. However, in the event the Grantee is currently occupying the Easement Premises for the Projects at the time the Grantee receives such notice from the Grantor, this Agreement shall not be terminated until the work on the current Project is completed, but no later than sixty (60) days following notification by the Grantor. Either party may thereafter record a memorandum or notice of termination.
- 7. <u>Subordination of Rights.</u> The Easement hereby granted is subject and subordinate to Grantor's right to enter and work upon the Easement Premises.
- 8. <u>Insurance</u>. Without waiving the right to sovereign immunity as provided by S.768.28 F.S., the Grantee acknowledges that it is a political subdivision of the State subject to the limitations of S.768.28 F.S. as amended. Grantee shall maintain a fiscally sound and prudent liability program with regard to its obligations under this Agreement. Should Grantee contract with a third party to provide any services related to this Agreement, Grantee shall require third party to provide at least the following insurance:
  - Commercial General Liability with minimum limits of \$500,000 per occurrence and to endorse Grantee and Grantor as Additional Insureds.
  - Workers' Compensation in accordance with Chapter 440 F.S., with coverage for Employer's Liability.
  - c. Business Automobile Liability with minimum limits of \$500,000 each accident.
  - d. Grantor shall be named as Additional Insured.
- 9. <u>Indemnification</u>. Each party shall be liable for its own actions and negligence, and, to the extent permitted under S.768.28 F.S., Grantee shall indemnify, defend, and hold harmless Grantor against any actions, claims, or damages arising out of Grantee's negligence in connection with this Agreement. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in S.768.28 F.S., nor shall the same be construed to constitute agreement by either party to indemnify the other party for such other party's negligent, willful, or intentional acts or omissions.
- 10. <u>Grantor's Representations.</u> Grantor represents and warrants that Grantor is the lawful owner of and has good and marketable legal title to the Easement Premises; Grantor has the full right, power, and authority to grant this Easement, and all other rights granted hereunder to Grantee and that Grantor has disclosed the location and terms of all other known easements that may affect the Easement Premises. If any person shall seek to set aside this Easement or to nullify the rights granted hereunder based upon an alleged superior right in the Easement Premises, then Grantor shall, upon Grantee's request and at Grantor's expense, take any action reasonably necessary to secure to Grantee the rights and interest granted hereunder.
- 11. <u>Authority to Execute This Agreement.</u> Any person executing this Agreement and representing Grantor hereby warrants and represents that he or she has received all governmental authorization necessary to bind Grantor to the terms of this Agreement. Any person executing this Agreement and representing Grantee hereby warrants and represents that he or she has received all governmental authorization necessary to bind Grantee to the terms of this Agreement.
- 12. <u>Assignment.</u> The County may assign the Agreement to another governmental entity for the purpose of construction access and staging in accordance with this Agreement, subject to the prior

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written approval of the Grantor.

- 13. Prohibited Acts by Grantee. With the sole exception of the Easement Premises, Grantee, its agents and employees shall not enter on, over, under, through, or across any other portion of Grantor's property for access to or to do work on the Easement Premises. Grantee shall promptly and at Grantee's expense repair or replace any unauthorized portion of Grantor's property damaged or destroyed and/or impairment thereto caused by Grantee during the course of Grantee's work. Grantee shall not plant or erect anything upon the dune which shall unreasonably interfere with Grantor's use of any portion of Grantor's Non-Easement Premises. Grantee shall promptly remove, on a daily basis, any unauthorized debris resulting from Grantee's work on the Easement Premises.
- 14. Impending Damage. Nothing herein shall prevent Grantor from reasonably protecting its property and Easement Premises from impending damage or loss due to wind, seas, storms, or other forces of nature in the event that Grantee is unwilling or unable to undertake such actions for any reason including lack of funding. In the event the National Hurricane Center issues a tropical storm warning or watch, or a hurricane warning or watch, affecting the Easement Premises, the Grantee shall secure or remove all its property located in or on the Easement Premises.
- 15. Governing Law and Venue. Any action to enforce this Agreement shall be brought in Palm Beach County, Florida. This Agreement shall be governed by the laws of the State of Florida.
- Modification. This instrument shall not be modified or terminated except by written agreement signed by Grantor and Grantee.
- 17. <u>Binding Effect.</u> The covenants contained in this instrument, including all benefits and burdens, are not personal, but shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, transferees, successors and assigns.
- 18. <u>No Joint Venture.</u> Nothing in this instrument shall be construed to make the parties hereto partners or joint venturers or render them liable for the debts or obligations of the other.
- 19. Recordation. This instrument shall be recorded in the Public Records of Palm Beach County, Florida.
- 20. <u>Termination</u>. It is understood and agreed by the parties that the rights granted herein shall automatically terminate on October 31, 2045.

(The remainder of this page left blank intentionally)

IN WITNESS WHEREOF, Grantor and Grantee had and year first above set forth.	ave set hereto their hand and seals on the day
Signed, Sealed, and Delivered in the presence of:  With the presence of the winess	GRANTOR: CITY OF BOYNTON BEACH, A FLORIDA MUNICIPAL CORPORATION By: Steven B. Grant, Mayor
Name - Typed or Printed  Witness  Tammy L. Stanzione  Name - Typed or Printed	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:  By: Office of the City Attorney	
STATE OF FLORIDA COUNTY OF PALM BEACH  The foregoing instrument was acknowledged befor online notarization, this Waday of 20 the City of Boynton Beach, a Florida municipal control of the City of the C	21 by Steven B. Grant, as Mayor on behalf of
	as identification.
SHAYLA S. ELLIS Commission # HH 001281 Expires September 19, 2024 Bonded Thru Budget Notary Services	Notary Public, State of Florida  Printed Name: SHAYLA ELLIS
My Commission Expires: 09/19/2004	<u>F\H\ 00\ 08\</u> Notary Commission Number R 2 0 2 1 10 9 2
ATTEST:	GRANTEE: AUG 1 7 2021
JOSEPH ABRUZZO Clerk of the Circuit Court & Comptroller	PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS
By Deputy Clerk, SEAL)	By: Dave Kerner, Mayor

[00446024.1 306-9001821]

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Scott A. Stone

Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: Deborah Drum, Director
Environmental Resources Management

### SKETCH OF DESCRIPTIONS

WITHIN THE SOUTH 986.93 FEET OF GOV. LOT 5 LYING EAST OF AND ADJACENT TO STATE ROAD A1A (OCEAN BLVD.) a.k.a. OCEANFRONT PARK SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA

#### NOTES:

- THIS IS NOT A SURVEY.
- THIS SKETCH, AND ANY REPRODUCTION THEREOF, IS NOT VALID WITHOUT AN ORIGINAL OR VERIFIED DIGITAL SIGNATURE AND SEAL OF A FLORIDA REGISTERED SURVEYOR. ADDITIONALLY, THIS SURVEY IS NOT VALID IF PRINTED BEARING A DIGITAL SIGNATURE AND SEAL.
- ANY ADDITION OR DELETIONS TO THIS SKETCH BY ANYONE OTHER THAN THE SIGNING PARTY OR PARTIES IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- OTHER THAN THOSE SHOWN ON THIS SKETCH, NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PARCEL OF LAND.
  THE EASEMENT LEGAL DESCRIPTIONS SHOWN HERON WERE PREPARED UNDER THE DIRECT SUPERVISION OF THE SIGNING SURVEYOR.

- THE LEGAL DESCRIPTION AND DEEDS FOR THE PARENT TRACT WERE PROVIDED BY THE CLIENT.
  BEARINGS SHOWN HEREON ARE GRID BEARINGS AND REFERENCED TO FDOT RIGHT OF WAY MAP OF STATE ROAD A1A, SECTION No. 93060-2510.
- 8. THE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION IS TO CREATE TWO TEMPORARY CONSTRUCTION ACCESSES AND ONE TEMPORARY CONSTRUCTION STAGING AREA WITHIN THE CITY OF BOYNTON BEACH OCEANFRONT PARK.

  9. THIS SKETCH IS NOT VALID WITHOUT THE SEQUENCED NUMBER OF SHEETS.

  10. BEARINGS, DISTANCES AND COORDINATES SHOWN HERON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE
- 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.

#### **CERTIFICATION:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON 8/23/19. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.

KENNETH C. JACKSON, PRINT - FLORIDA REGISTRATION NUMBER 454

#### **ABBREVIATIONS:**

APX.	APPROXIMATE
CONST.	CONSTRUCTION
D.B.	DEED BOOK
E'LY	EASTERLY
GOV.	GOVERNMENT
No.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PBC	PALM BEACH COUNTY
P.B.C.R.	PALM BEACH COUNTY RECORDS
PBCPA	PALM BEACH COUNTY PROPERTY APPRAISER
PG(S)	PAGE(S)
R.	RANGE
S.	SECTION
CIV	COLITHEDI V

VICINITY MAP (A1A) <del>2</del> 3 97  $\Im$ \* PROJECT E.Ocean Ave

#### THIS IS NOT A SURVEY

S.R.

**SURVEYING AND MAPPING** 

STATE ROAD TOWNSHIF TYPICAL

> DRAWN BY: BL DRAWING: OCEANFRONT PARK EASEMENTS.dwg CHECKED BY: KCJ SCALE: N/A DATE: 8/26/19 JOB No.: 19-870

PREPARED BY:

TERRAQUATIC, INC

1220 TANGELO TERR, UNIT AI2 DELRAY BEACH, FL 33444 TELEPHONE: (561) 806-6085

CERTIFICATE OF AUTHORIZATION NO. 7324

SITE OWNER / ADDRESS CITY of BOYNTON BEACH OCEANFRONT PARK

REV:

64I5 N OCEAN BLVD. OCEAN RIDGE, FL 33435

SHEET 1 OF 6

#### THIS IS NOT A SURVEY

CHECKED BY: KCJ

SHEET 2 OF 6

#### LEGAL DESCRIPTION - CONSTRUCTION ACCESS EASEMENT NORTH

A TEMPORARY CONSTRUCTION ACCESS EASEMENT OVER AND ACROSS THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED BOOK 1110, PAGE 679
OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING IN GOVERNMENT LOT 5, SECTION 22, TOWNSHIP 45 SOUTH, RANGE
43 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID CERTAIN PARCEL, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF STATE ROAD A1A, THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT OF WAY ALONG THE ARC OF A CURVE CONCAVE TO THE WEST WHOSE RADIUS POINT BEARS N84\*21\*36"W A DISTANCE OF 983.03 FEET THROUGH A CENTRAL ANGLE OF 0\*34\*13" A DISTANCE OF 9.78 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY RIGHT OF WAY AND SAID ARC THROUGH A CENTRAL ANGLE OF 0\*55'58" A DISTANCE OF 16.00 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY S84\*42'30"E A DISTANCE OF 80.42 FEET TO A POINT ON A TANGENTIAL CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 67\*20'29" AND A RADIUS OF 44.45 FEET A DISTANCE OF 52.24 FEET; THENCE N89\*36'30"E A DISTANCE OF 32.02 FEET; THENCE N44\*56'10"E A DISTANCE OF 38.39 FEET; THENCE S86\*57'08"E A DISTANCE OF 96.54 FEET; THENCE N04\*11'42"E A DISTANCE OF 33.54 FEET; THENCE N86\*46'06"W A DISTANCE OF 76.82 FEET; THENCE S85\*20'01"W A DISTANCE OF 138.55 FEET; THENCE N84\*42'30"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE EASEMENT CONTAINS 8,628.89 SQUARE FEET (0.198AC) MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.

#### LEGAL DESCRIPTION - CONSTRUCTION ACCESS EASEMENT SOUTH

A TEMPORARY CONSTRUCTION ACCESS EASEMENT OVER AND ACROSS THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED BOOK 1110, PAGE 677 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING IN GOVERNMENT LOT 5, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID CERTAIN PARCEL, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF STATE ROAD A1A, THENCE N21\*36'52"E ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 102.49 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY S68°23'08"E A DISTANCE OF 50.59 FEET; THENCE N21\*42'43"E A DISTANCE OF 25.00 FEET; THENCE N68°23'08"W A DISTANCE OF 50.63 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY; THENCE S21°36'52"W ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE EASEMENT CONTAINS 1,265.22 SQUARE FEET (0.029AC) MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.

#### **LEGAL DESCRIPTION - STAGING AREA EASEMENT**

A TEMPORARY CONSTRUCTION STAGING AREA EASEMENT OVER AND ACROSS THOSE CERTAIN PARCELS OF LAND AS DESCRIBED IN DEED BOOK 1110, PAGE 677 HEREINAFTER REFEREED TO AS PARCEL "A" AND DEED BOOK 988 PAGE 30 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING IN GOVERNMENT LOT 5, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED PARCEL "A", SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF STATE ROAD A1A, N21°36′52″E A DISTANCE OF 102.49 FEET TO A POINT ON THE SOUTHERLY LINE OF THE ABOVE DESCRIBED CONSTRUCTION ACCESS EASEMENT SOUTH; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE S68°23′08″E ALONG THE SOUTHERLY LINE OF SAID CONSTRUCTION ACCESS EASEMENT SOUTH A DISTANCE OF 21.98 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST AND THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY LINE ALONG THE ARC OF A CURVE WITH A CENTRAL ANGLE OF 177°55′56″ AND A RADIUS OF 5.82 FEET A DISTANCE OF 18.07 FEET; THENCE N70°27′11″W A DISTANCE OF 13.42 FEET; THENCE S21°24′06″W A DISTANCE OF 76.79 FEET; THENCE S18°30′09″W A DISTANCE OF 64.27 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°28′27″ AND A RADIUS OF 815.00 FEET A DISTANCE OF 77.87 FEET; THENCE S76°02′41″E A DISTANCE OF 62.53 FEET TO THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE; THENCE ALONG THE ARC OF SAID CURVE WHOSE RADIUS POINT BEARS S76°02′41″E A DISTANCE OF 870.00 FEET THROUGH A CENTRAL ANGLE OF 4°59′44″ A DISTANCE OF 75.86 FEET; THENCE N18°57′03″E A DISTANCE OF 59.30 FEET; THENCE N18°52′35″E A DISTANCE OF 80.32 FEET; THENCE N68°05′43″W A DISTANCE OF 14.83 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHEAST; THENCE N68°05′43″W A DISTANCE OF 14.83 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHEAST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°30′46″ AND A RADIUS OF 5.06 FEET A DISTANCE OF 7.99 FEET; THENCE N21°42′43″E A DISTANCE OF 1.93 FEET TO THE SOUTHEASTERLY CORNER OF SAID CONSTRUCTION ACCESS EASEMENT SOUTH; THENCE N68°23′08″W ALONG THE SOUTHERLY LINE OF SAID CONSTRUCTION ACCESS EASEMENT SOUTH A DISTANCE OF 28.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE EASEMENT CONTAINS 13,950.29 SQUARE FEET (0.320AC) MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.

	DRAWING: OCEANFRONT PARK EASEMENTS.dwg	S.dwg	
	SCALE: N/A	DATE: 8/26/19	JOB No.: 19-870
Surveying and mapping	REV:		

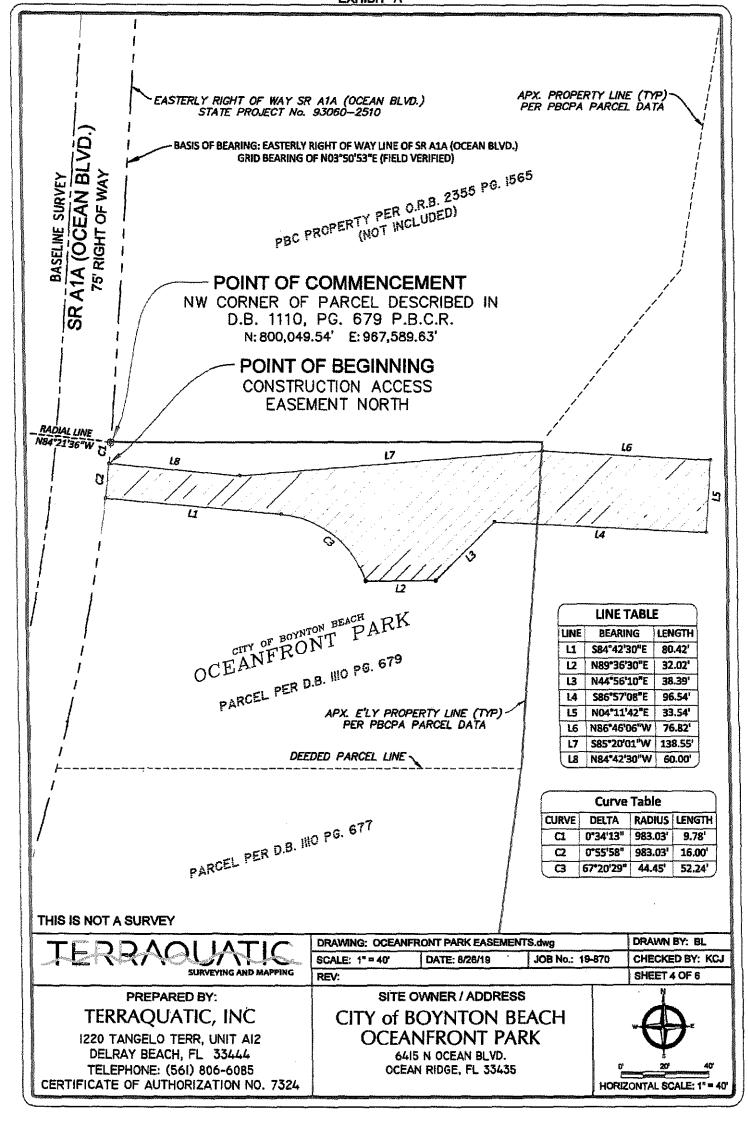
PREPARED BY: TERRAQUATIC, INC

1220 TANGELO TERR, UNIT AI2 DELRAY BEACH, FL 33444

TELEPHONE: (561) 806-6085
CERTIFICATE OF AUTHORIZATION NO. 7324

SITE OWNER / ADDRESS
CITY OF BOYNTON BEACH
OCEANFRONT PARK

6415 N OCEAN BLVD. OCEAN RIDGE, FL 33435



6415 N OCEAN BLVD.

OCEAN RIDGE, FL 33435

HORIZONTAL SCALE: 1" = 40"

DELRAY BEACH, FL 33444

TELEPHONE: (561) 806-6085

CERTIFICATE OF AUTHORIZATION NO. 7324



# INTEROFFICE MEMORANDUM Palm Beach County Environmental Resources Management

DATE:

July 16, 2025

TO:

Todd J. Bonlarron

Interim County Administrator

THROUGH: Patrick Rutter

Deputy County Administrator

FROM:

Deborah Drum, Director

**Environmental Resources Management** 

Isami Ayala-Collazo, Director Facilities Development & Operations

Deborah Druff and Borry Chronic County of the County of th

Isami Ayala

Collazo

egrad by team Ayela-Cataba erg, GC-picqox, CU-Emerphes, GU-CADN, et, GC-picqox, SU-Emerphes, GU-CADN, et, GC-picqox, B-shyshacosanog

**SUBJECT:** 

REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:

A Certification of Lands granting the Department of the Army (DA) a right of entry upon lands which Palm Beach County owns or controls, for the purpose of rehabilitating County-Sponsored Segments of the federally authorized Palm Beach County Shore Protection Project (Project), subject to the review

and approval of the Office of the County Attorney.

On July 8, 2025, agenda item 3L-7 (R2025-0964), the Board of County Commissioners approved the County Administrator, or designee, to sign all future certifications, and other forms associated with the Certification of Lands for County-sponsored Segments of the federally authorized Palm Beach County Shore Protection Project, subject to the review and approval of the Office of the County Attorney.

This memorandum is my request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM) or the Director or Deputy Director of Facilities Development and Operations (FDO), to sign all future certifications, and other forms associated with the Certification of Lands for County-sponsored Segments of the federally authorized Palm Beach County Shore Protection Project, subject to the review and approval of the Office of the County Attorney. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

**APPROVED** 

Todd J. Bonlarton, Interim County Administrator

DD:kf Attachment

### Terraquatic, Inc. 1220 Tangelo Terrace, Unit A-12 Delray Beach, Florida 33444



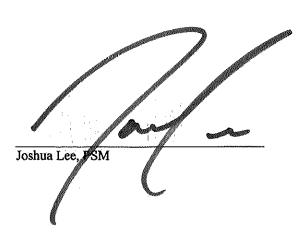
#### **AFFIDAVIT**

- 1. My name is Joshua Lee, and I am a Florida licensed professional surveyor and mapper under registration number 7322, as licensed by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers.
- 2. I am employed by Terraquatic, Inc. ("Terraquatic").
- 3. Palm Beach County (the "County") has advised Terraquatic that the County and the Department of the Army will be entering into a Cooperation Agreement for Rehabilitation of a Federal Hurricane/Shore Protection Project (the "Project"), which provides for beach nourishment within the Ocean Ridge segment between Florida Department of Environmental Protection reference monuments R-153 and R-159. The County is serving as the Non-Federal Sponsor for the Project.
- 4. The County obtained certain easements for the construction, operation and maintenance of the Project which are identified on Exhibit A attached hereto (collectively, the "Easements").
- 5. The County engaged Terraquatic to prepare the sketch and legal description attached hereto as <u>Exhibit B</u> to identify the location of the line of the landward limit of the Easement Premises based on the Easements providing that the landward limit of the Easement Premises is the +12.0 foot contour line (National Geodetic Vertical Datum, 1929) for certain of the Easements, and the location of the apparent seawall cap (May 1995) for the remainder of the Easements. I have prepared the sketch and legal description attached hereto as <u>Exhibit B</u> and such sketch and legal description reflects such line of the landward limit of the Easement Premises under the Easements, which is identified in such sketch and legal description as the Landward Limit of Temporary Construction Easement.
- 6. The County has advised that such line of the landward limit of the Easement Premises under the Easements is to be used as the landward limits of fill for the Project.

[SIGNATURE APPEARS ON FOLLOWING PAGE]

Office Phone 561-806-6085

Page 1 of 4



STATE OF FLORIDA

COUNTY OF PALM BEACH

by this MM day of SUNHWALK (type of identification) as identification. The foregoing instrument was sworn to and subscribed before is personally known to me or has produced www.

(Stamp/Seal)

NAUDIA BORREGO Commission # HH 612952 Expires November 17, 2028

NAVDIA EDEREGIO

Commission Number
My Commission Expires: 1117 2028

## Terraquatic, Inc. 1220 Tangelo Terrace, Unit A-12 Delray Beach, Florida 33444



EXHIBIT A
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	EXHIBIT A	
Instrument	Grantor	Recording Information Public Records of Palm Beach County, Florida
Temporary Easement and Agreement for Beach Restoration	Ocean Mews, Inc.	ORB 9456 PG 1707
Temporary Easement and Agreement for Beach Restoration	Mews South, Inc.	ORB 9456 PG 1697
Temporary Easement and Agreement for Beach Restoration	Sixty Eight-Twenty Three Corporation, Inc.	ORB 9456 PG 1727
Temporary Easement and Agreement for Beach Restoration	Six Seven Six Seven North Ocean Boulevard, Inc./ 6767 North Ocean Boulevard Corp.	ORB 9456 PG 1722
Temporary Easement and Agreement for Beach Restoration	Dunes of Ocean Ridge Condominium Association, Inc., a Florida not-for-profit corporation	ORB 9456 PG 1682
Temporary Easement and Agreement for Beach Restoration	The Tamarind Inc.	ORB 9456 PG 1737
Temporary Easement and Agreement for Beach Restoration	The City of Boynton Beach	ORB 9456 PG 1666
Temporary Easement and Agreement for Beach Restoration	The Town of Ocean Ridge	ORB 9456 PG 1742
Temporary Easement and Agreement for Beach Restoration	Alberta, Ltd.	ORB 9456 PG 1651

terraquatic.net

Office Phone 561-806-6085

Page 3 of 4

# Terraquatic, Inc. 1220 Tangelo Terrace, Unit A-12 Delray Beach, Florida 33444



Temporary Easement and Agreement for Beach Restoration	Joseph L. and Carol B. Russo	ORB 9456
		PG 1759
Temporary Easement and Agreement for Beach Restoration	David M. Goldstein, Trustee of an	ORB 9456
	Unrecorded Trust Agreement dated February 21, 1996	PG 1672
Temporary Easement and Agreement for Beach Restoration	Grace P. Brawner	ORB 9456
		PG 1752
Temporary Easement and Agreement for Beach Restoration	William P. and Stephanie S. McCauley	ORB 9456
		PG 1747
Temporary Easement and Agreement for Beach Restoration	David Lundquist and Merrilee Lundquist	ORB 13074
		PG 929
Temporary Easement and Agreement for Beach Restoration	Ocean Ridge Development Company, LLC, a Florida limited liability company	ORB 13074
		PG 880
Temporary Easement and Agreement for Beach Restoration	Don & Angie Seta	ORB 9456
		PG 1677
Temporary Easement and Agreement for Beach Restoration	Glory B. King	ORB 9456
		PG 1687
Temporary Easement and Agreement for Beach Restoration	A.C. Clewis Jr.	ORB 9456
		PG 1661
Temporary Easement and Agreement for Beach Restoration	Richard M. H. Thompson and	ORB 9456
	Elizabeth A. J. Thompson	PG 1717
Temporary Easement and Agreement for Beach Restoration	Suzanne Elaine Rice	ORB 9456
		PG 1732

Office Phone 561-806-6085

Page 4 of 4

# Sketch & Description

## TEMPORARY CONSTRUCTION EASEMENT

### R-153 to R-159, OCEAN RIDGE, FL

SECTIONS 22 & 27, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA

#### NOTES:

- THIS IS NOT A SURVEY.
- THIS SKETCH, AND ANY REPRODUCTION THEREOF, IS NOT VALID WITHOUT AN ORIGINAL OR VERIFIED DIGITAL SIGNATURE AND SEAL OF A
- FLORIDA REGISTERED SURVEYOR. ADDITIONALLY, THIS SKETCH IS NOT VALID IF PRINTED BEARING A DIGITAL SIGNATURE AND SEAL.
  ANY ADDITION OR DELETIONS TO THIS SKETCH BY ANYONE OTHER THAN THE SIGNING PARTY IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY.
- OTHER THAN THOSE SHOWN ON THIS SKETCH, NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR 4. OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PARCEL OF LAND.
  THE EASEMENT LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED UNDER THE DIRECT SUPERVISION OF THE SIGNING SURVEYOR.
- THE LEGAL DESCRIPTION AND DEEDS FOR THE SERVIENT TRACT(S) WERE OBTAINED FROM THE PUBLIC RECORDS OF PALM BEACH COUNTY.
- THIS SKETCH IS NOT VALID WITHOUT THE SEQUENCED NUMBER OF SHEETS.
- BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (NAD 8. 83/90), FLORIDA STATE PLANE, EAST ZONE (0901), TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.
- BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N23°55'48"E BETWEEN COASTAL CONSTRUCTION CONTROL LINE PERMANENT REFERENCE MONUMENTS "HAULOVER-A 1991" AND "HAULOVER 1929 NO 3 1970".

  THE LANDWARD LIMIT OF TEMPORARY EASEMENT LINE AND THE MEAN HIGH WATER LINE & EROSION CONTROL LINES AS SHOWN HEREON
- WERE PROVIDED BY THE CLIENT.
- THE CONTROL POINT COORDINATES SHOWN HEREON WERE OBTAINED FROM THE 1997 PALM BEACH COUNTY COASTAL CONSTRUCTION CONTROL LINE MAP OF RECORD AS RECORDED IN PLAT BOOK 80 AT PAGE 137 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

#### **ABBREVIATIONS:**

AC.	ACRE
APX.	APPROXIMATE
CONST.	CONSTRUCTION
D.B.	DEED BOOK
E'LY	EASTERLY
EL.	ELEVATION
GOV.	GOVERNMENT
MHW(L)	MEAN HIGH WATER (LINE)
No.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
P.B.C.	PALM BEACH COUNTY
P.B.C.R.	PALM BEACH COUNTY RECORDS
PG(S)	PAGE(S)
PH	PHASE
R.	RANGE
<b>S.</b>	SECTION
S'LY	SOUTHERLY
S.R.	STATE ROAD
T.	TOWNSHIP
TYP.	TYPICAL

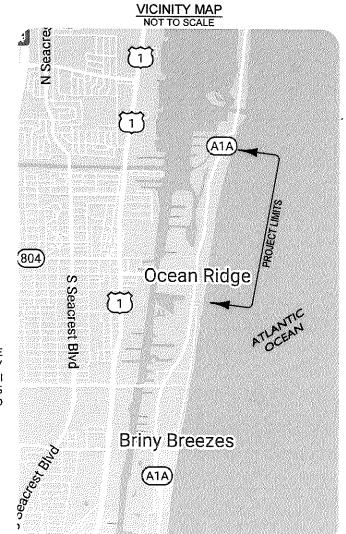
#### CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED EASEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON 9/23/25. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.



Digitally signed by Joshua R Lee Date: 2025.10.01 11:20:14 -04'00'

JOSHUA LEE, PSM - FLORIDA REGISTRATION NUMBER 7322



# SURVEYING AND MAPPING

DRAWING: OCEAN RIDGE EASEMENT.dwg DRAWN BY: BL SCALE: N/A DATE: 10/1/25 JOB No.: 25-1277 CHECKED BY: JL REV: SHEET 1 OF 11

## PREPARED BY: TERRAQUATIC, INC

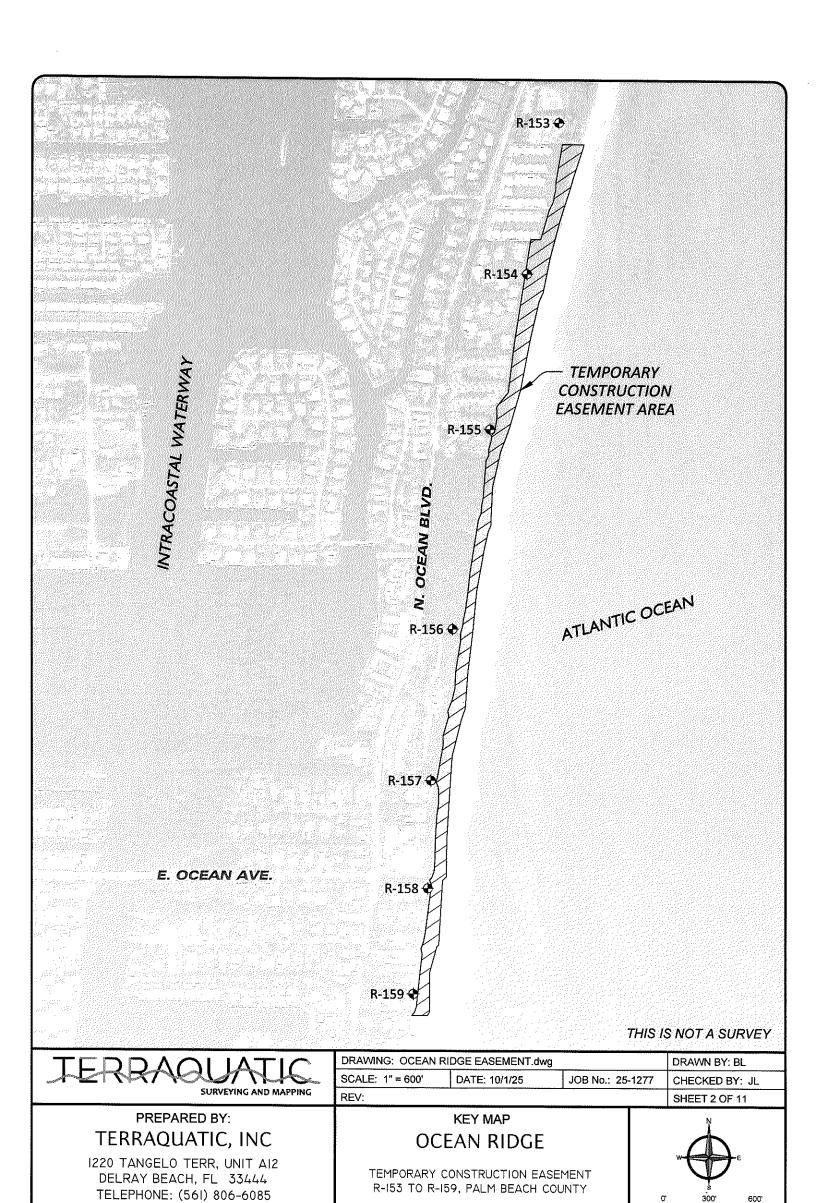
1220 TANGELO TERR, UNIT A12 DELRAY BEACH, FL 33444 TELEPHONE: (561) 806-6085

CERTIFICATE OF AUTHORIZATION NO. 7324

# **COVER SHEET** OCEAN RIDGE

TEMPORARY CONSTRUCTION EASEMENT R-I53 TO R-I59, PALM BEACH COUNTY





HORIZONTAL SCALE: 1" = 600'

CERTIFICATE OF AUTHORIZATION NO. 7324

#### **LEGAL DESCRIPTION:**

A TEMPORARY CONSTRUCTION EASEMENT OVER AND ACROSS THE FOLLOWING DESCRIBED LANDS IN SECTIONS 22 AND 27, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA:

COMMENCING AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S (FDEP) COASTAL CONSTRUCTION CONTROL LINE (CCCL) PERMANENT REFERENCE MONUMENT (PRM) "HAULOVER-A 1991" AS DESCRIBED IN THE 1997 PALM BEACH COUNTY COASTAL CONSTRUCTION CONTROL LINE MAP OF RECORD AND RECORDED IN PLAT BOOK 80 AT PAGE 137 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N23°55'48"E FOR 3,921.73 FEET TO PRM "HAULOVER 1929 NO 3 1970" AS DESCRIBED IN SAID MAP OF RECORD; THENCE S18°14'38"W FOR 2,028.14 FEET, MORE OR LESS, TO THE INTERSECTION OF THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 1901 AT PAGE 718 OF SAID PALM BEACH COUNTY PUBLIC RECORDS AND THE OCEAN RIDGE MEAN HIGH WATER LINE & EROSION CONTROL LINE AS RECORDED IN PLAT BOOK 80 AT PAGE 180 OF SAID PALM BEACH COUNTY PUBLIC RECORDS AND THE POINT OF BEGINNING;

THENCE ALONG SAID OCEAN RIDGE MEAN HIGH WATER LINE & EROSION CONTROL LINE FOR THE FOLLOWING THIRTY-ONE (31) CALLS: S14°14'49"W FOR 20.44 FEET; THENCE S17°31'59"W FOR 209.13 FEET; THENCE S15°03'33"W FOR 56.66 FEET; THENCE S17°32'46"W FOR 244.00 FEET; THENCE S14°28'57"W FOR 249.39 FEET; THENCE S11°25'35"W FOR 229.47 FEET; THENCE S23°59'53"W FOR 63.81 FEET; THENCE S12°58'45"W FOR 261.72 FEET; THENCE S10°45'17"W FOR 329.89 FEET; THENCE S16°03'05"W FOR 274.25 FEET; THENCE S20°34'11"W FOR 151.79 FEET; THENCE S12°34'54"W FOR 239.04 FEET; THENCE S02°39'08"W FOR 253.71 FEET; THENCE S25°35'32"W FOR 36.88 FEET; THENCE S12°52'57"W FOR 114.19 FEET; THENCE S10°05'31"W FOR 290.93 FEET; THENCE S05°29'14"W FOR 264.47 FEET; THENCE S07°04'38"W FOR 258.91 FEET; THENCE S03°55'08"W FOR 245.52 FEET; THENCE S19°12'55"W FOR 78.94 FEET; THENCE S14°20'51"W FOR 244.67 FEET; THENCE S03°55'28"W FOR 258.92 FEET; THENCE S03°21'31"W FOR 296.50 FEET; THENCE S00°34'57"W FOR 236.07 FEET; THENCE S42°50'56"W FOR 35.98 FEET; THENCE S03°25'22"W FOR 265.30 FEET; THENCE S03°11'36"W FOR 154.92 FEET; THENCE S42°02'59"W FOR 20.47 FEET; THENCE S15°13'29"W FOR 177.03 FEET; THENCE S00°00'08"E FOR 253.36 FEET; THENCE S28°41'08"W FOR 27.50 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 29927 AT PAGE 255 OF SAID PALM BEACH COUNTY PUBLIC RECORDS; THENCE S89°32'50"W, ALONG SAID SOUTH LINE, FOR 101.13 FEET TO A POINT ON THE LANDWARD LIMIT LINE OF THE HEREIN DESCRIBED TEMPORARY EASEMENT; THENCE ALONG SAID LANDWARD LIMIT LINE FOR THE FOLLOWING FIFTY-FIVE (55) CALLS: N33°57'55"E FOR 33.04 FEET; THENCE N18°17'38"E FOR 34.53 FEET; THENCE N04°08'14"E FOR 39.54 FEET; THENCE N06°18'30"E FOR 304.89 FEET; THENCE N11°48'56"W FOR 34.89 FEET; THENCE N19°33'06"E FOR 48.46 FEET; THENCE N10°16'18"E FOR 65.22 FEET; THENCE N07°23'14"E FOR 310.30 FEET; THENCE N20°37'48"W FOR 35.67 FEET; THENCE N45°15'37"E FOR 18.95 FEET; THENCE N20°55'58"E FOR 43.51 FEET; THENCE N04°50'54"E FOR 86.41 FEET; THENCE N00°24'35"E FOR 110.73 FEET; THENCE N03°33'40"E FOR 169.71 FEET; THENCE N07°41'23"E FOR 86.57 FEET; THENCE N00°18'52"W FOR 87.83 FEET; THENCE N12°32'45"W FOR 25.83 FEET; THENCE N30°11'39"W FOR 24.15 FEET; THENCE N18°46'40"E FOR 29.70 FEET; THENCE N10°02'39"E FOR 219.25 FEET; THENCE N00°24'39"W FOR 58.92 FEET; THENCE N16°08'25"E FOR 134.36 FEET; THENCE N11°04'09"W FOR 35.02 FEET; THENCE N21°20'23"E FOR 75.13 FEET; THENCE N14°15'29"E FOR 83.54 FEET; THENCE N02°18'11"E FOR 115.81 FEET; THENCE N09°19'03"E FOR 195.40 FEET; THENCE N00°29'22"W FOR 50.21 FEET; THENCE N15°33'30"E FOR 60.49 FEET; THENCE N03°55'03"E FOR 30.36 FEET; THENCE N12°34'58"E FOR 67.02 FEET; THENCE N07°33'03"E FOR 127.87 FEET; THENCE N05°39'48"E FOR 121.83 FEET; THENCE N09°10'21"E FOR 346.98 FEET; THENCE N22°06'36"E FOR 46.58 FEET; THENCE N03°42'00"E FOR 54.24 FEET; THENCE N12°10'55"E FOR 41.10 FEET; THENCE N04°25'53"E FOR 253.80 FEET; THENCE N29°27'04"E FOR 33.34 FEET; THENCE N01°00'54"E FOR 40.79 FEET; THENCE N15°22'36"E FOR 68.01 FEET; THENCE N00°34'05"E FOR 30.81 FEET; THENCE N45°00'00"E FOR 29.64 FEET; THENCE N08°27'12"E FOR 95.81 FEET; THENCE N01°51'09"W FOR 69.68 FEET; THENCE N38°34'35"E FOR 120.74 FEET; THENCE N07°11'14"E FOR 321.81 FEET; THENCE N08°46'56"E FOR 691.79 FEET; THENCE N89°24'55"E FOR 65.93 FEET; THENCE N15°57'55"E FOR 197.54 FEET; THENCE N25°47'41"E FOR 64.68 FEET; THENCE N06°43'04"E FOR 30.00 FEET; THENCE N12°17'44"E FOR 42.66 FEET; THENCE N02°52'27"E FOR 55.25 FEET; THENCE N09°16'35"E FOR 251.16 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 1901 AT PAGE 718; THENCE N89°58'07"E, ALONG SAID SOUTH LINE, FOR 140.82 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 500,211.37 SQUARE FEET OR 11.483 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.

THIS IS NOT A SURVEY

#### DRAWING: OCEAN RIDGE EASEMENT.dwg DRAWN BY: BL SCALE: N/A DATE: 10/1/25 JOB No.: 25-1277 CHECKED BY: JL SURVEYING AND MAPPING REV: SHEET 3 OF 11 PREPARED BY: LEGAL DESCRIPTION TERRAQUATIC, INC OCEAN RIDGE 1220 TANGELO TERR, UNIT AI2 TEMPORARY CONSTRUCTION EASEMENT DELRAY BEACH, FL 33444 R-I53 TO R-I59, PALM BEACH COUNTY

TELEPHONE: (561) 806-6085 CERTIFICATE OF AUTHORIZATION NO. 7324

