

34-23

Agenda Item #:
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: August 15, 2006 [X] Consent [ ] Regular
[ ] Ordinance [ ] Public Hearing
Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) adopt a resolution authorizing the conveyance of the County's interest in three (3) properties, totaling 0.49 acres of land, to the City of Belle Glade without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and
B) approve three (3) County Deeds in favor of the City of Belle Glade.

Summary: The City of Belle Glade has requested the conveyance of three (3) improved parcels of County-owned surplus property located within its jurisdiction which the County acquired by tax deed within the past two years. The properties are located at: (i) 419 SW Avenue C (.10 acres), improved with an occupied apartment complex; (ii) 722 SW Avenue E (.14 acres), improved with an unoccupied two story commercial structure; and (iii) 654 SW Avenue E (.25 acres), previously operated as a gas station with underground fuel storage tanks which were removed in 1997 and which has existing environmental contamination. The total assessed value of these parcels is \$119,013 and contains 0.49 acres. Florida Statutes Section 197.592(3) requires the conveyance of surplus property acquired by tax deed to the municipality in which it is located. The subject parcels have been declared surplus as they serve no present or future County purpose. Staff believes that these properties will be more appropriately developed, managed and maintained by the City. The conveyance of surplus property to the municipality in which it is located is a major element of PREM's disposition program adopted by the Board upon the recommendation of the Real Estate Assets Task Force. These conveyances will relieve the County of potential liability for occurrences on the properties and also the cost of continued maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. Staff is currently revisiting the program to convey residential parcels to the municipalities in light of the affordable housing issues. The County Deeds for the .14 acre and .25 acre parcels reserve future right-of-way for the widening of SW Avenue E, as provided for in the County's Comprehensive Plan. (PREM) District 6 (HJF)

Background and Justification: The .14 acre parcel and the .25 acre parcel escheated to the County in 2004 and the .10 acre parcel escheated to the County in 2005. PREM, in response to direction from the Real Estate Assets Task Force, has developed a program to convey to the municipalities in which they are located, County property which is surplus and provides little opportunity to further a County function. Staff believes that these municipalities are in a better position to determine how these properties should be used and maintained. The City plans to renovate the occupied apartment complex and the two other parcels are potential sites for future business ventures. Although Staff is currently revisiting the program to convey residential parcels to the municipalities in light of the affordable housing issues, Staff believes the .10 acre parcel which has an occupied apartment complex would benefit all parties if it were conveyed to the City.

CONTINUED ON PAGE 3

Attachments:

- 1. Location Map
2. Disposition Summary
3. City of Belle Glade letter of request dated July 14, 2006
4. County letter dated April 11, 2006, acknowledged and agreed to by the City of Belle Glade
5. Florida Statutes Sections 197.592(3) and 270.11
6. Resolution
7. County Deeds

Recommended By: [Signature] Department Director Date: 7/22/06
Approved By: [Signature] County Administrator Date: 8/3/06

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

| Fiscal Years                                   | 2006              | 2007                | 2008                | 2009                | 2010                |
|--|-------------------|---------------------|---------------------|---------------------|---------------------|
| Capital Expenditures                           | _____             | _____               | _____               | _____               | _____               |
| Operating Costs                                | _____             | _____               | _____               | _____               | _____               |
| External Revenues                              | _____             | _____               | _____               | _____               | _____               |
| Program Income (County)                        | _____             | _____               | _____               | _____               | _____               |
| In-Kind Match (County)                         | _____             | _____               | _____               | _____               | _____               |
| <b>NET FISCAL IMPACT</b>                       | <u><u>-0-</u></u> | <u><u>_____</u></u> | <u><u>_____</u></u> | <u><u>_____</u></u> | <u><u>_____</u></u> |
| <b># ADDITIONAL FTE POSITIONS (Cumulative)</b> | _____             | _____               | _____               | _____               | _____               |

Is Item Included in Current Budget: Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
 Program \_\_\_\_\_

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

*No fiscal impact. Conveyance of these properties will eliminate the County's on-going maintenance and liability costs.*

**C. Departmental Fiscal Review: \_\_\_\_\_**

**III. REVIEW COMMENTS**

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

*[Signature]* 8-1-06  
 OFMB

*[Signature]* 8/1/06  
 Contract Development and Control

**B. Legal Sufficiency:**

*[Signature]* 8/3/06  
 Assistant County Attorney

**C. Other Department Review:**

*[Signature]*  
 Department Director

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

**Background and Justification continued:**

The .14 acre parcel is improved with an unoccupied two story gutted commercial building. The .25 acre parcel was previously operated as a gas station with underground fuel storage tanks which were removed in 1997, but environmental contamination exists. PREM, with assistance from ERM, provided notice to the City detailing the various regulations and stipulations required by DEP, PREM and ERM regarding clean up of the contamination. The City acknowledges such conditions, will accept the parcel in an AS-IS condition and agrees to comply with all regulations and conditions. Furthermore, the City has also agreed to provide such notification as part of any future agreement it may enter into for the property. The City has applied for a grant from the Treasure Coast Regional Planning Council for funds to remediate and redevelop the parcel. Both the .14 acre and .25 acre parcels contain vacant structures and are in a commercial area. The County has advised the City, and the City has acknowledged same, that the County's Comprehensive Plan designates future right-of-way for the widening of SW Avenue E. Although the City has no current plans to widen SW Avenue E, should the need arise, the proper right-of-way restrictions have been reserved in the County Deeds.

19

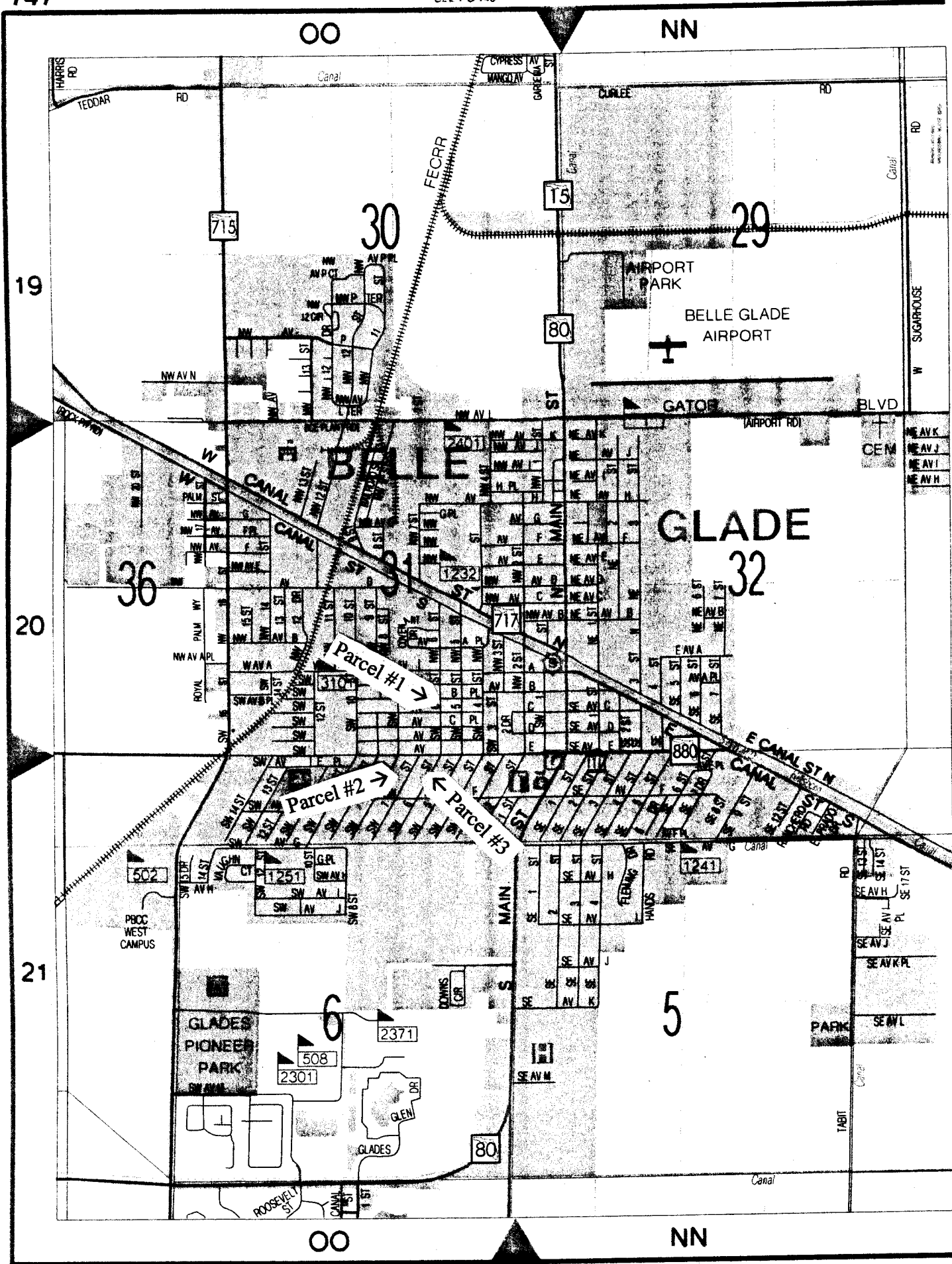
20

21

T43

T43

T44



LOCATION MAP  
ATTACHMENT #1

Handwritten signature or initials.

**CITY OF BELLE GLADE DISPOSITION SUMMARY**

| <b>NO.</b>    | <b>PCN</b>              | <b>SUBDIVISION</b> | <b>STREET ADDRESS</b> | <b>ACRES</b> | <b>ASSESSED VALUE</b> | <b>ACQUIRED BY</b> | <b>BOOK/PAGE NUMBER</b> | <b>MONTH/YEAR OF RECORDING</b> |
|---------------|-------------------------|--------------------|-----------------------|--------------|-----------------------|--------------------|-------------------------|--------------------------------|
| 1.            | 04-37-43-31-15-008-0040 | Glade Subdivision  | SW Avenue C           | 0.10         | \$ 73,078             | Tax Deed           | 18939/1479              | 07/2005                        |
| 2.            | 04-37-43-42-08-001-0080 | Rutledge Addition  | SW Ave E (MLK Blvd)   | 0.14         | \$ 14,905             | Tax Deed           | 16993/830               | 05/2004                        |
| 3.            | 04-37-43-42-09-001-0070 | Tedders Addition   | SW Ave E (MLK Blvd)   | 0.25         | \$ 31,030             | Tax Deed           | 17142/1813              | 06/2004                        |
| <b>Totals</b> |                         |                    |                       | <b>0.49</b>  | <b>\$ 119,013</b>     |                    |                         |                                |

G:\Property Mgmt Section\Dispositions\BelleGlade.Summer2004\DispositionSummary.NEW.doc

**ATTACHMENT #2**



# City of Belle Glade

Planning & Building

July 14, 2006

Tel: 561-996-0100  
Fax: 561-992-2221

City Hall Complex  
110 Dr. MLK Jr. Blvd West  
Belle Glade, FL  
33430-3900

## Commissioners

Dr. Ray Torres Sanchez,  
*Mayor*

Donald D. Garrett,  
*Vice Mayor*

Gwendolyn J.L. Asla-Williams

Mary S. Kendall

Shelly Miller

Houston Tate  
City Manager

Ms. Samara J. Cooper, Asst. Director  
Property & Real Estate Management Div.  
3200 Belvedere Road, Building 1169  
West Palm Beach, FL 33406

RE: Three parcels to be conveyed to the City of Belle Glade

Dear Ms. Cooper

This letter is written in response to the three parcels of land that are being conveyed from Palm Beach County to the City of Belle Glade. The City gladly accepts these parcels for future development. Below are the associated parcel control numbers along with a brief description of the proposed land use.

- Parcel control number 04-37-43-42-08-001-0080 and 04-37-42-09-001-0070. These will be potential sites for future business ventures, either by the City of Belle Glade or perhaps with this land we can entice new businesses to come to the City of Belle Glade.
- Parcel control number: 04-37-43-31-15-008-0040. With this parcel the City can continue with its' beautification of the block. The parcel east of this was already conveyed to the city and the building was demolished for a future parking lot. We can beautify the existing apartment building and the tenants can now have adequate parking spaces.

I appreciate your interest in Belle Glade's effort to improve its' neighborhoods and communities, and I look forward to working with you to expedite arrangements to facilitate the intended conveyance of the above referenced parcels.

Should you have any questions or concerns please feel free to give me a call at 561-996-0100 ext 607.

Sincerely,

Ralph Butts  
Interim Planning & Building Mgr.

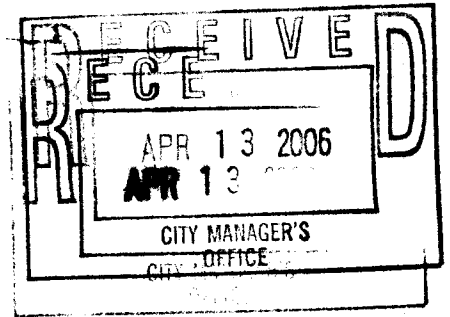
cc: Houston L. Tate, City Manager  
Barbara Bell-Spence, Community Development Mgr.

ATTACHMENT # 3



RECEIVED

JUL 07 2006



**FAXED TO 561-992-2221 (3 PAGES)  
& SENT VIA REGULAR MAIL**

April 11, 2006

Mr. Houston L. Tate  
City Manager  
City of Belle Glade  
110 Dr. Martin Luther King Jr. Blvd. West  
Belle Glade, FL 33430-3900

RE: 654 SW Avenue E (a/k/a Dr. MLK Blvd. West)  
PCN 04-37-43-42-09-001-0070

Dear Mr. Tate:

As you're aware, Palm Beach County wishes to convey at no cost the parcel located at 654 SW Avenue E (a/k/a Dr. Martin Luther King Jr. Blvd West; hereinafter referred to as the "Premises"; PCN 04-37-43-09-42-001-0070) to the City of Belle Glade (City). In a February 27, 2006, letter from Mr. Ralph Butts, the City's Interim Planning & Building Manager, the City requested this parcel (as well as others) be conveyed to the City.

Through our various correspondence and conversations, we have informed you that the Premises, which escheated to the County via tax deed, has potential contamination. Although the City may understand the responsibilities in acquiring properties that are potentially contaminated sites and is in agreement in taking responsibility for site inspection and cleanup, the County's Environmental Resources Management Department (ERM) has requested that we fully advise the City of the following for the Premises:

- (1) Records indicate that the Premises previously contained six (6) fuel tanks which were removed in 1997. Records further indicate that the Premises has been designated as having high levels of petroleum-based contamination in both the soils and groundwater.

Facilities Development &  
Operations Department  
Property & Real Estate  
Management Division  
3200 Belvedere Road  
Building 1169  
West Palm Beach, FL 33406-1544  
(561) 233-0200  
FAX: (561) 233-0210  
www.pbcgov.com/fdo



**Palm Beach County  
Board of County  
Commissioners**

Tony Masilotti, Chairman

Addie L. Greene, Vice Chairperson

Karen T. Marcus

Jeff Koons

Warren H. Newell

Mary McCarty

Burt Aaronson

**County Administrator**

Robert Weisman

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Affirmative Action Employer"*

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**ATTACHMENT # 4**



H. Tate, City of Belle Glade - 653 SW Avenue E

April 11, 2006

Page two

- (2) Although contamination was discovered, the Premises is not eligible for cleanup funding from the State of Florida Department of Environmental Protection (DEP). Failure to initiate assessment and remediation of the petroleum contamination places the owner/responsible party in violation of Palm Beach County Ordinance 2003-021, and as a result the owner/responsible party is subject to enforcement for the violation. According to Florida Statutes Section 197.502, when a contaminated parcel escheats to the County via a tax deed, the County is exempt from environmental liability relating to the escheated parcel. F.S. Section 197.502 does not specifically allow or provide this same protection for municipalities, although F.S. Section 197.592 states that counties shall convey escheated parcels to the municipalities in which they are located within. It appears that municipalities should be afforded the same protection as counties, and the wording in F.S. Section 197.502 may simply be an administrative oversight; however, it is recommended the City (or the City could request the League of Cities) contact the State Office of the Attorney General for an advisory legal opinion that could protect the City from the above referenced County Ordinance 2003-02 when the Premises is conveyed.
- (3) If the owner of the Premises proceeds with renovations or development of the Premises prior to completion of a site cleanup, the eventual cleanup of the Premises will likely require excavating portions of the Premises to remove contaminated soils and drilling of monitoring wells or soil borings, which may temporarily disrupt or limit the renovations/development of the Premises.
- (4) ERM can provide assistance by suggesting to the City various procedural avenues in their efforts to cleanup the Premises.

In order for the County to convey the Premises to the City, we request your acknowledgment of the above. Please sign below and fax this letter to me at (561) 233-0210 with the original mailed to my attention. Furthermore, by executing this letter below, the City hereby agrees to include this letter as an exhibit to any agreement regarding the future conveyance(s) or development of the Premises.





H. Tate, City of Belle Glade - 653 SW Avenue E

April 11, 2006

Page three

Should you have any questions, do not hesitate to contact me at (561) 233-0217.  
Thank you.

Sincerely,

Ross C. Hering  
Director

cc: Samara J. Cooper, Assistant Director/PREM  
Richard C. Bogatin, Manager, Property Management/PREM  
Steven K. Schlamp, Property Specialist/PREM  
Howard J. Falcon, Assistant County Attorney (via fax only to 355-4398)  
Richard E. Walesky, Director/ERM (via fax only to 233-2414)

---

---

ACKNOWLEDGED AND AGREED TO:

City of Belle Glade

By:

Signature

HOUSTON L. TATE

Print Name

CITY MANAGER

Title

Select Year: 2005

Go

## The 2005 Florida Statutes

[Title XIV](#)[Chapter 197](#)[View Entire Chapter](#)

TAXATION AND FINANCE TAX COLLECTIONS, SALES, AND LIENS

**197.592 County delinquent tax lands; method and procedure for sale by county; certain lands conveyed to municipalities; extinction of liens.--**

(1) Lands acquired by any county of the state for delinquent taxes in accordance with law which have not been previously sold or dedicated by the board of county commissioners may, at its discretion, be conveyed to the record fee simple owner of such lands as of the date the county obtained title to the lands. However, before any conveyance shall be made, the former owner of the lands may file with the board of county commissioners a verified written application which shall show:

- (a) The description of the lands for which a conveyance is sought;
  - (b) The name and address of the former owner;
  - (c) The date title was acquired by the county;
  - (d) The price of the lands as previously fixed by resolution of the board of county commissioners, if this has been done;
  - (e) The use to which the lands were enjoyed by the record fee simple owner at the time of acquisition by the county;
  - (f) A brief statement of the facts and circumstances upon which the former owner bases the request for restitution of the described property;
  - (g) An offer to pay an amount equal to all taxes, including municipal taxes and liens, if any, which had become delinquent, together with interest and costs provided by law.
- (2) In the event the described lands have not been assessed for taxes for the current year in which the petition is filed, the applicant shall pay, in addition, the taxes for current and omitted years, the latter amount to be determined by applicable millage for the omitted years and based on the last assessment of the described lands.
- (3) Lands acquired by any county of the state for delinquent taxes in accordance with law which have not been previously sold, acquired for infill housing, or dedicated by the board of county commissioners, which the board of county commissioners has determined are not to be conveyed to the record fee simple owner in accordance with the provisions of subsections (1) and (2), and which are located within the boundaries of an incorporated municipality of the county shall be conveyed to the governing board of the municipality in which the land is located. Such lands conveyed to the municipality shall be freely alienable to the municipality without regard to third parties. Liens of record held by the county on such parcels conveyed to a municipality shall not survive the conveyance of the property to the municipality.
- (4) Liens of record held by the county upon lands not conveyed in accordance with subsections (1) and (2) or subsection (3) shall not survive the conveyance of the property to the county.

**History.**--s. 1, ch. 22870, 1945; ss. 1, 2, ch. 69-55; s. 1, ch. 72-268; s. 23, ch. 73-332; s. 197, ch. 85-342; s. 7, ch. 86-141; s. 6, ch. 99-190.

**Note.**--Former ss. 194.471, 197.655, 197.302.

[http://www.flsenate.gov/statutes/index.cfm?p=2&App\\_mode=Display\\_Statute&Search\\_String=&...](http://www.flsenate.gov/statutes/index.cfm?p=2&App_mode=Display_Statute&Search_String=&...) 7/12/2006

**ATTACHMENT # 5**

Select Year: 2005

[Go](#)

## The 2005 Florida Statutes

[Title XVIII](#)  
PUBLIC LANDS AND PROPERTY

[Chapter 270](#)  
PUBLIC LANDS

[View Entire Chapter](#)

### 270.11 Contracts for sale of public lands to reserve certain mineral rights; prohibition on exercise of right of entry in certain cases.--

(1) Unless the applicable agency chooses not to reserve such interest and except as otherwise provided by law, in all contracts and deeds for the sale of land executed by the Board of Trustees of the Internal Improvement Trust Fund or by any local government, water management district, or other agency of the state, there shall be reserved for such local government, water management district, other agency of the state, or the board of trustees and its successors an undivided three-fourths interest in, and title in and to an undivided three-fourths interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same.

(2)(a) The Board of Trustees of the Internal Improvement Trust Fund may, in its discretion, sell or release any reserved interest or any portion thereof in or as to any particular parcel of land, and the State Board of Education may sell or release any such interest or any portion thereof which was reserved for said board pursuant to this section prior to September 1, 1967. Such sale or release shall be made on application of the owner of the title to the particular parcel of land with statement of reason justifying such sale or release.

(b) The right of entry in respect to any interest in phosphate, minerals, and metals or any interest in petroleum heretofore or hereafter reserved in favor of the Board of Trustees of the Internal Improvement Trust Fund or the State Board of Education is hereby released as to any parcel of property that is, or ever has been, a contiguous tract of less than 20 acres in the aggregate under the same ownership.

(3) A local government, water management district, or agency of the state may, at its discretion, sell or release reserved interest in any parcel of land, except that such sale or release shall be made upon petition of the purchaser for such interest and with a statement of reasons justifying such sale or release.

(4) Any state agency, except a water management district, which receives royalties for parcels shall remit any such moneys into the General Revenue Fund, unless otherwise provided by law.

**History.**--ss. 1, 2, ch. 6159, 1911; RGS 1226; CGL 1771; s. 1095, ch. 19355, 1939; CGL 1940 Supp. 892(414); s. 1, ch. 26849, 1951; s. 1, ch. 59-220; s. 2, ch. 61-119; ss. 27, 35, ch. 69-106; s. 76, ch. 71-355; s. 1, ch. 86-205; s. 1, ch. 86-257; s. 9, ch. 2001-256.

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**RESOLUTION NO. R-2006-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF BELLE GLADE WITHOUT CHARGE AND WITH MINERAL AND PETROLEUM RIGHTS RESERVATION WITHOUT RIGHTS OF ENTRY AND EXPLORATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the County owns three (3) properties within the municipal boundaries of the City of Belle Glade which were acquired for delinquent taxes; and,

**WHEREAS**, Florida Statutes Section 197.592(3) states that under certain conditions, the County is to convey to municipalities in which they are located, properties acquired by the County for delinquent taxes; and,

**WHEREAS**, the subject lands have not been previously sold, have not been acquired for infill housing, have not been dedicated by the Board of County Commissioners, and shall not be conveyed to the record prior fee simple title owner; and,

**WHEREAS**, pursuant to Florida Statute Section 270.11, the City of Belle Glade has requested that such property be conveyed without reservation of and to release the rights of entry and exploration relating to such mineral and petroleum rights; and,

**WHEREAS**, the Board of County Commissioners of Palm Beach County has agreed to convey such property reserving phosphate, mineral, metals and petroleum rights but releasing any and all rights of entry and exploration relating to such rights.

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

**Section 1. Recitals**

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

**ATTACHMENT # 6**

**Section 2. Authorization to Convey Real Property**

The Board of County Commissioners of Palm Beach County shall convey to the City of Belle Glade without charge and by County Deeds attached hereto and incorporated herein by reference, the real property legally described in such deeds.

**Section 3. Conflict with Federal or State Law or County Charter**

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

**Section 4. Effective Date**

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

The foregoing resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The Motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

- COMMISSIONER TONY MASILOTTI, CHAIRMAN
- COMMISSIONER ADDIE L. GREENE, VICE CHAIRPERSON
- COMMISSIONER KAREN T. MARCUS
- COMMISSIONER JEFF KOONS
- COMMISSIONER WARREN H. NEWELL
- COMMISSIONER MARY MCCARTY
- COMMISSIONER BURT AARONSON

The Chair thereupon declared the resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2006.

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

SHARON R. BOCK  
CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Tony Masilotti, Chairman

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By \_\_\_\_\_  
Assistant County Attorney

By Rat Amy Wolf  
Department Director

PREPARED BY AND RETURN TO:  
STEVEN K. SCHLAMP, PROPERTY SPECIALIST  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIVISION  
3200 BELVEDERE ROAD, BUILDING 1169  
WEST PALM BEACH, FLORIDA 33406-1544

PROPERTY CONTROL NUMBER: 04-37-43-31-15-008-0040

## COUNTY DEED

**THIS DEED**, made \_\_\_\_\_, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, party of the first part, and the **CITY OF BELLE GLADE**, a municipal corporation, whose legal mailing address is 110 Dr. Martin Luther King Jr. Blvd. West, Belle Glade, Florida 33430-3900, party of the second part.

### WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

GLADE SUB, LOT 4 BLK 8. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 9240 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 18939, PAGE 1479, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving, however, unto party of the first part, its successors and assigns an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and party of the first part hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairperson of said Board, the day and year aforesaid.

### ATTEST:

**SHARON R. BOCK**  
CLERK & COMPTROLLER

**PALM BEACH COUNTY,**  
a political subdivision of the State of Florida

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Tony Masilotti, Chairman

**APPROVED AS TO FORM**  
**AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: \_\_\_\_\_  
Assistant County Attorney

**ATTACHMENT #7**

PREPARED BY AND RETURN TO:  
STEVEN K. SCHLAMP, PROPERTY SPECIALIST  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIVISION  
3200 BELVEDERE ROAD, BUILDING 1169  
WEST PALM BEACH, FLORIDA 33406-1544

PROPERTY CONTROL NUMBER: 04-37-43-42-08-001-0080

## COUNTY DEED

**THIS DEED**, made \_\_\_\_\_, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, party of the first part, and the **CITY OF BELLE GLADE**, a municipal corporation, whose legal mailing address is 110 Dr. Martin Luther King Jr. Blvd. West, Belle Glade, Florida 33430-3900, party of the second part.

### WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

RUTLEDGE ADD LTS 8 & 9 / LESS N 5 FT SR R/W/ BLK 1. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 9619 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 16993, PAGE 830, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving unto the party of the first part, its successors and assigns, a Right-Of-Way (for future road construction) in accordance with the County's Comprehensive Plan, as it presently exists or as it may be amended in the future, on a portion of the property as depicted on Exhibit "A" attached hereto and made a part hereof (the "Reserved Parcel"). The party of the second part shall not develop or encumber the Reserved Parcel or take any action which will inhibit use by the party of the first part in its road construction plans. Furthermore, the party of the second part agrees to convey the Reserved Parcel to the party of the first part, its successors and assigns, at no cost to the party of the first part, its successors and assigns, free of any encumbrances, if and when requested.

Further reserving, however, unto party of the first part, its successors and assigns an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and party of the first part hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

COUNTY DEED  
PCN 04-37-43-42-08-001-0080

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairperson of said Board, the day and year aforesaid.

**ATTEST:**

**SHARON R. BOCK  
CLERK & COMPTROLLER**

**PALM BEACH COUNTY,  
a political subdivision of the State of Florida**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Tony Masilotti, Chairman

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: \_\_\_\_\_  
Assistant County Attorney



Exhibit "A" (page 1 of 2)

EXHIBIT "A"

LEGAL DESCRIPTION:

A PORTION OF LOTS 8 AND 9, BLOCK 1, RUTLEDGE ADDITION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGE 35, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE HIATUS BETWEEN TOWNSHIP 43 SOUTH AND TOWNSHIP 44 SOUTH, RANGE 37 EAST, CITY OF BELLE GLADE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 25.00 FEET OF THE NORTH 30.00 FEET OF LOTS 8 AND 9, BLOCK 1, SAID PLAT OF RUTLEDGE ADDITION .

PARCEL CONTAINS 1.250 SQUARE FEET.

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT WAS PREPARED BY:

NORMAN J. HOWARD P.S.M.  
IN THE OFFICE OF THE COUNTY ENGINEER.  
160 AUSTRALIAN AVENUE, SUITE 405,  
WEST PALM BEACH, FLORIDA 33406

*N. Howard*

5-19-05

DATE

NORMAN J. HOWARD P.S.M.  
FLORIDA CERTIFICATE # 5776

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.


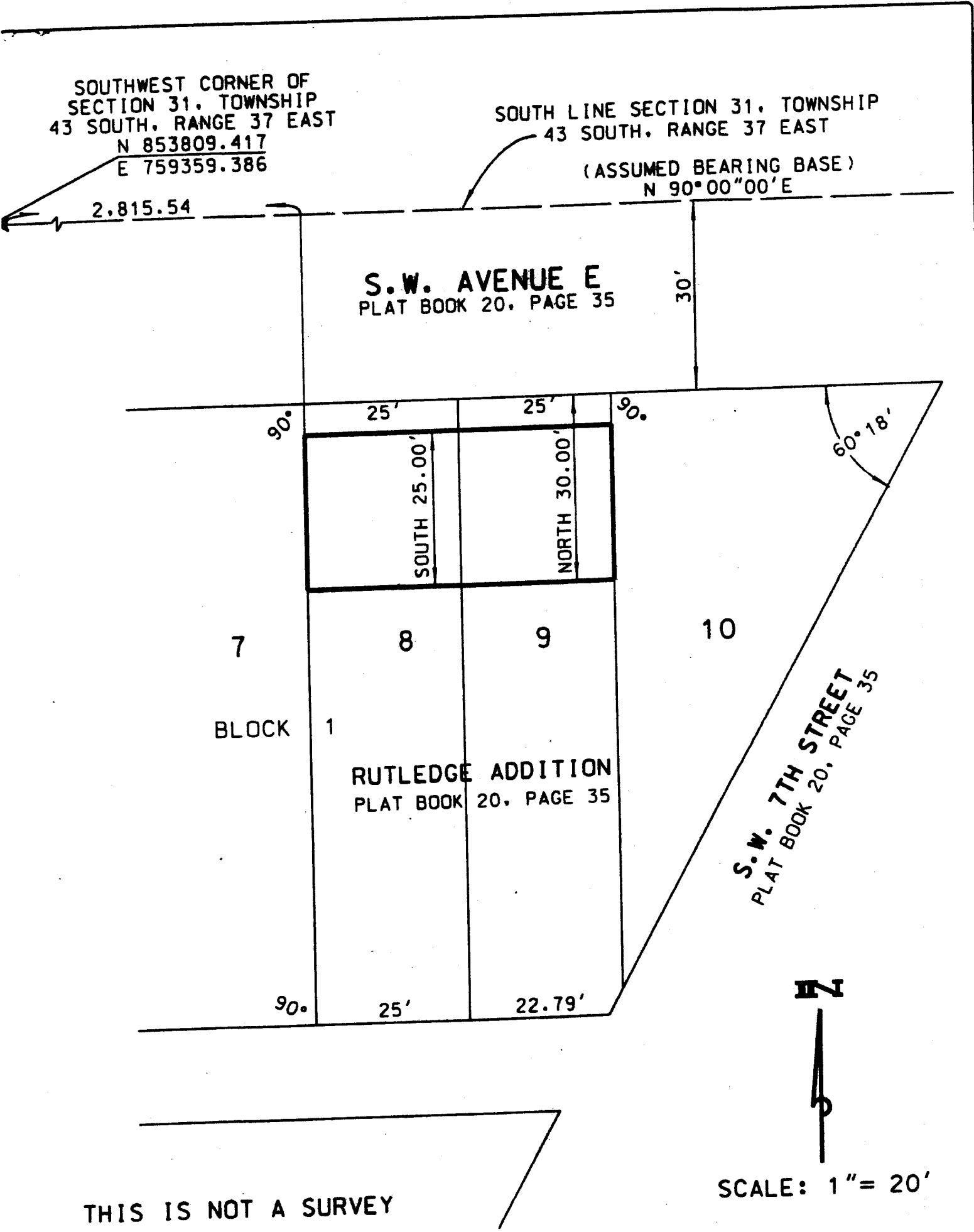
|            |                                      |  |                                 |                             |  |
|------------|--------------------------------------|--|---------------------------------|-----------------------------|--|
| SHEET<br>1 | PROJECT<br>S.W. AVENUE E<br>PARCEL 2 | SCALE: 1" = 20' ±<br>DRAWN BY: N.J.H.<br>CHECKED BY: N.J.H.<br>DATE: 4/27/05 | REVISION                        | OF SHEET                    |  <p>PALM BEACH COUNTY<br/>ENGINEERING AND PUBLIC WORKS<br/>ENGINEERING SERVICES<br/>160 AUSTRALIAN AVENUE<br/>WEST PALM BEACH, FL 33406</p> |
|            |                                      |  | DESIGN FILE NAME<br>S-1-05-2347 | QUANTITY NO.<br>S-1-05-2347 |  |

Exhibit "A" (page 2 of 2)



THIS IS NOT A SURVEY

SCALE: 1" = 20'

PREPARED BY AND RETURN TO:  
STEVEN K. SCHLAMP, PROPERTY SPECIALIST  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIVISION  
3200 BELVEDERE ROAD, BUILDING 1169  
WEST PALM BEACH, FLORIDA 33406-1544

PROPERTY CONTROL NUMBER: 04-37-43-42-09-001-0070

## COUNTY DEED

**THIS DEED**, made \_\_\_\_\_, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, party of the first part, and the **CITY OF BELLE GLADE**, a municipal corporation, whose legal mailing address is 110 Dr. Martin Luther King Jr. Blvd. West, Belle Glade, Florida 33430-3900, party of the second part.

### WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

TEDDERS ADDITION LTS 7 TO 10 INC / LESS N 5 FT SR R/W/ BLK  
1. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER  
TAX CERTIFICATE NUMBER 9472 IN THE TAX DEED RECORDED  
IN OFFICIAL RECORD BOOK 17142, PAGE 1813, PUBLIC  
RECORDS OF PALM BEACH COUNTY, FLORIDA.

Reserving unto the party of the first part, its successors and assigns, a Right-Of-Way (for future road construction) in accordance with the County's Comprehensive Plan, as it presently exists or as it may be amended in the future, on a portion of the property as depicted on Exhibit "A" attached hereto and made a part hereof (the "Reserved Parcel"). The party of the second part shall not develop or encumber the Reserved Parcel or take any action which will inhibit use by the party of the first part in its road construction plans. Furthermore, the party of the second part agrees to convey the Reserved Parcel to the party of the first part, its successors and assigns, at no cost to the party of the first part, its successors and assigns, free of any encumbrances, if and when requested.

Further reserving, however, unto party of the first part, its successors and assigns an undivided three-fourths (3/4) interest in, and title in and to an undivided three-fourths (3/4) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half (1/2) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and party of the first part hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

COUNTY DEED  
PCN 04-37-43-42-09-001-0070

**IN WITNESS WHEREOF**, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman or Vice Chairperson of said Board, the day and year aforesaid.

**ATTEST:**

**SHARON R. BOCK  
CLERK & COMPTROLLER**

**PALM BEACH COUNTY,  
a political subdivision of the State of Florida**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Tony Masilotti, Chairman

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: \_\_\_\_\_  
Assistant County Attorney

Exhibit "A" (page 1 of 2)

EXHIBIT "A"

LEGAL DESCRIPTION:

A PORTION OF LOTS 7 THROUGH 10, BLOCK 1, REVISED PLAT OF TEDDER'S ADDITION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGE 33, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE HIATUS BETWEEN TOWNSHIP 43 SOUTH AND TOWNSHIP 44 SOUTH, RANGE 37 EAST, CITY OF BELLE GLADE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 7, THENCE SOUTH 0°00'00" EAST ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0°00'00" EAST ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 25.00 FEET; THENCE SOUTH 90°00'00" WEST ALONG A LINE 30.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID LOTS 7 THROUGH 9, A DISTANCE OF 77.59 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 60°17'58", A DISTANCE OF 26.31 FEET TO A POINT OF CUSP; THENCE NORTH 29°42'02" EAST, A DISTANCE OF 34.59 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEAST HAVING A RADIUS OF 15.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 60°17'58", A DISTANCE OF 15.79 FEET TO A POINT OF TANGENCY; THENCE NORTH 90°00'00" EAST ALONG A LINE 5.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID LOTS 7 THROUGH 9, A DISTANCE OF 69.14 FEET TO THE POINT OF BEGINNING. THE PREVIOUS TWO COURSES ARE ALONG THE SOUTH LINE OF RIGHT-OF-WAY PARCELS RECORD IN OFFICIAL RECORD BOOK 285, PAGE 618 AND OFFICIAL RECORD BOOK 296, PAGE 287 SAID PUBLIC RECORDS.

PARCEL CONTAINS 2,146 SQUARE FEET.

NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT WAS PREPARED BY:  
NORMAN J. HOWARD P.S.M.  
IN THE OFFICE OF THE COUNTY ENGINEER,  
160 AUSTRALIAN AVENUE, SUITE 405,  
WEST PALM BEACH, FLORIDA 33406

*N. Howard*

5-19-05

DATE

NORMAN J. HOWARD P.S.M.  
FLORIDA CERTIFICATE #5776

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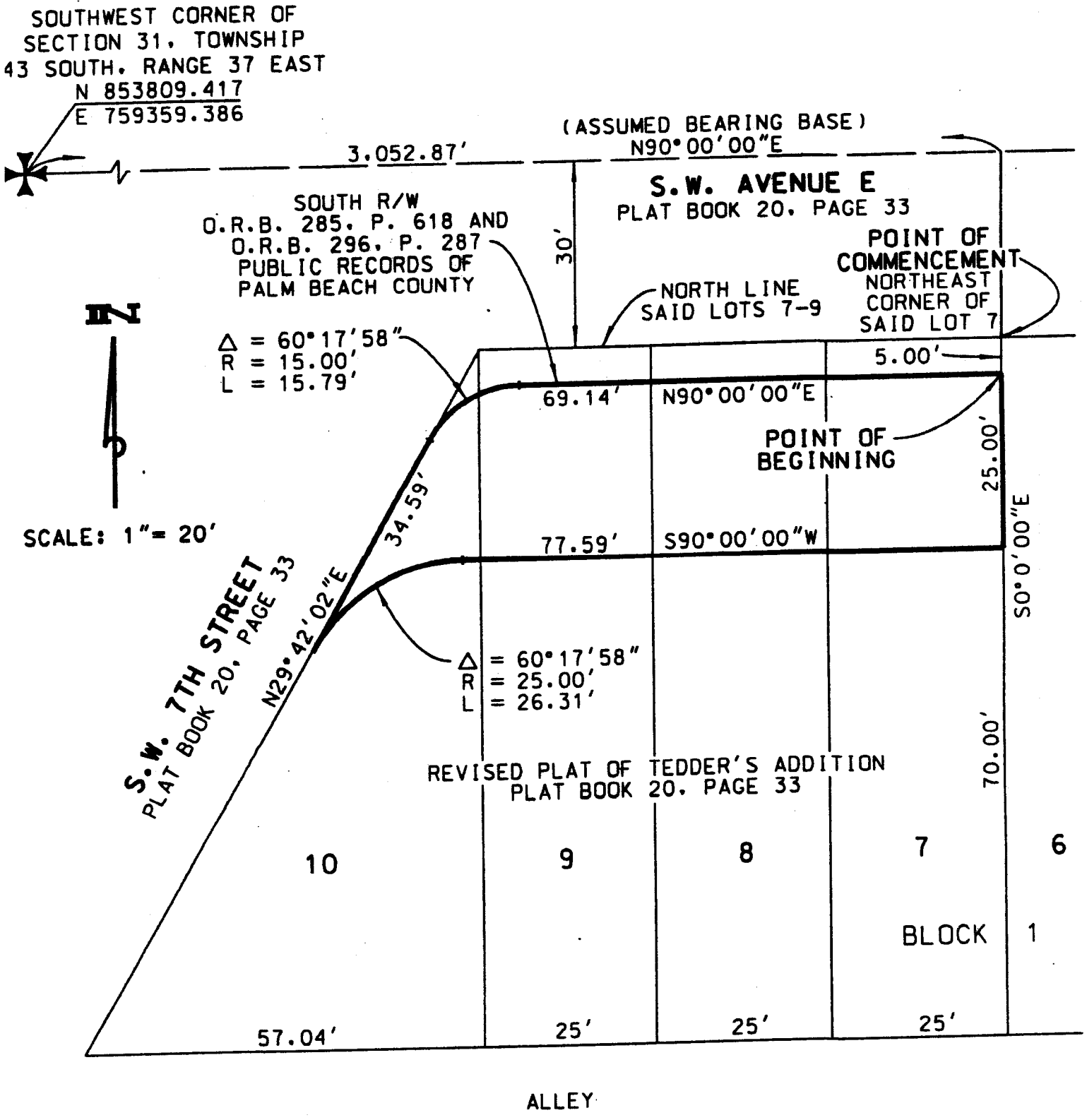
|               |   |   |                            |    |      |  |
|---------------|---|---|----------------------------|----|------|--|
| SHEETS<br>2 1 | PROJECT:<br><b>S.W. AVENUE E<br/>PARCEL 3</b> | SCALE: 1" = 20'<br>DRAWN BY: E.J.K.<br>CHECKED BY: N.J.H.<br>DATE: 5/05/05<br>N/A | REVISION                   | BY | DATE |  <b>PALM BEACH COUNTY<br/>ENGINEERING AND PUBLIC WORKS</b><br><br><b>ENGINEERING SERVICES</b><br><br>160 AUSTRALIAN AVENUE<br>WEST PALM BEACH, FL 33406 |
|               | DESIGN FILE NAME<br>S-1-05-2348.              |   | DRAWING NO.<br>S-1-05-2348 |    |      |  |

Exhibit "A" (page 2 of 2)



LEGEND

- Δ = CENTRAL ANGLE
- R = RADIUS
- L = ARC LENGTH
- R/W = RIGHT OF WAY
- O.R.B. = OFFICIAL RECORD BOOK
- P = PAGE

THIS IS NOT A SURVEY