

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)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>-0-</u></u>	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>	<u><u> </u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Jim Dint 8-1-06
OFMB
8/1/06

*15M
8-3-06*

John H. Webster
Contract Development and Control

**This item complies with current
County policies.**

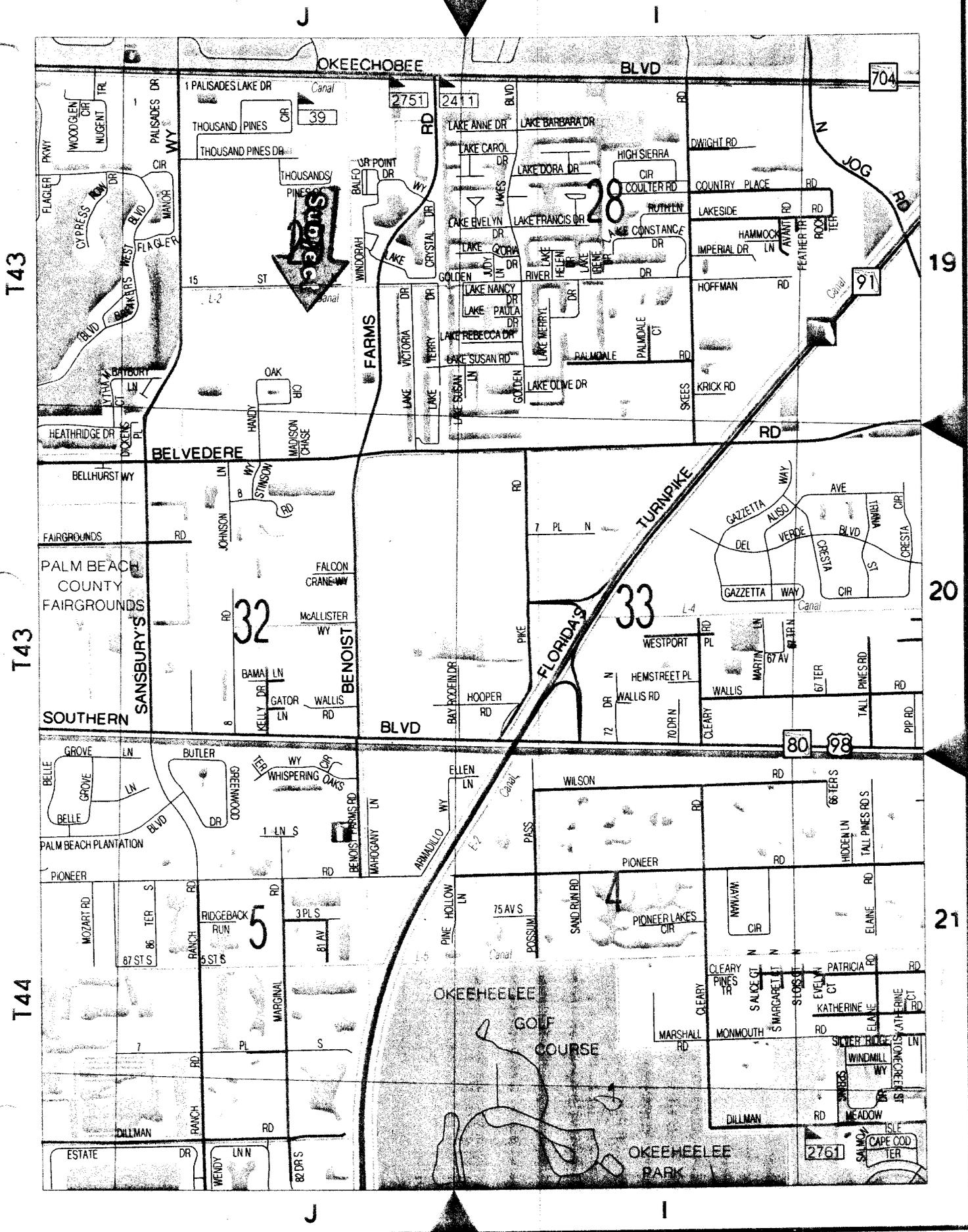
B. Legal Sufficiency:

James Burke 8-3-06
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION MAP

ATTACHMENT # 1



PREPARED BY AND RETURN TO:
David Kuzmenko
Palm Beach County
Property & Real Estate Management Division
3200 Belvedere Road Building 1169
West Palm Beach, Florida 33406-1544

Property Control Number: 00-42-43-29-19-002-0000

DECLARATION OF CONSERVATION EASEMENT

THIS IS A DECLARATION OF CONSERVATION EASEMENT, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida ("County"), whose address is c/o Palm Beach County Environmental Resources Management Department, 2300 N. Jog Road, 4th Floor, West Palm Beach, Florida 33411-2741.

WHEREAS, County is the owner of that certain real property located within Palm Beach County, Florida and more specifically described in **Exhibit "A"** attached hereto and incorporated herein ("Property"); and

WHEREAS, County desires to create a conservation easement over, upon and under such property for the purposes set forth hereinafter; and

WHEREAS, County desires that such conservation easement not be extinguished by the doctrines of merger or unity of title and remain valid and in effect upon a subsequent conveyance of the Property by County.

WITNESSETH:

NOW THEREFORE, County does hereby declare, grant and create a perpetual conservation easement for the benefit of County upon the real property legally described in **Exhibit "B"**, attached hereto (the "Easement Premises").

The conservation easement created hereby shall not be extinguished by operation of law, including, without limitation, the doctrines of merger or unity of title and shall inure to the benefit of County and run with the land and encumber and burden the Property upon the conveyance thereof by County notwithstanding County's failure to specifically reserve or reference such conservation easement in the instrument of conveyance.

It is the purpose and intent of this Conservation Easement to assure that the Property will be retained and maintained forever predominantly in the natural vegetative and hydrologic condition existing at the time of execution of this Conservation Easement, which shall mean that the following activities are prohibited on the Property.

1. Construction or placement of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
2. Dumping or placing of soil or other substances or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
3. Removal, destruction, cutting, trimming, mowing, alteration or biocide spraying of trees, shrubs, or other vegetation; with the exception of removal of nuisance and exotic plant species as may be required or permitted by law, ordinance, or other government approval;
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in any manner which affects the surface or sub-surface;
5. Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation;
7. Acts or uses detrimental to such aforementioned retention and maintenance of land or water areas; and
8. Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archaeological or cultural significance.

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IN WITNESS WHEREOF, County has caused this Declaration of Conservation Easement to be made as of the date first written above.

ATTEST:

SHARON R. BOCK,
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Tony Masilotti, Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
County Attorney

By:  _____
Department Director

Exhibit "A"

Tract "B", KING'S ACADEMY AND PALM BEACH COUNTY PARK SITE, recorded in Plat Book 100, Pages 105 through 109, public records of Palm Beach County, Florida.

EXHIBIT "B"

CONSERVATION EASEMENT – DISTRICT PARK "K"

A PARCEL OF LAND IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN TRACT "B", KING'S ACADEMY AND PALM BEACH COUNTY PARK SITE, RECORDED IN PLAT BOOK 100, PAGE 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE SAID TRACT "B";
THENCE ALONG THE NORTH BOUNDARY LINE OF SAID TRACT "B", S88°52'05"W FOR 420.00 FEET;
THENCE PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT "B", S01°00'07"W FOR 780.00 FEET;
THENCE PARALLEL WITH THE SAID NORTH BOUNDARY LINE, N88°52'05"E FOR 420.00 FEET TO THE SAID EAST BOUNDARY LINE;
THENCE ALONG SAID EAST BOUNDARY LINE, N01°00'07"E FOR 780.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.52 ACRES, MORE OR LESS.

BEARING BASIS: N01°00'07"E ALONG THE EAST BOUNDARY LINE OF TRACT "B", PLAT BOOK 100, PAGE 105.

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

ABBREVIATIONS

P.O.B. – POINT OF BEGINNING
R/W – RIGHT-OF-WAY
O.R.B. – OFFICIAL RECORD BOOK
P.B. – PLAT BOOK
LWDD – LAKE WORTH DRAINAGE DISTRICT


ANTHONY BROWN
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4977
DATE: 7/27/06

 **BROWN & PHILLIPS, INC.**

PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407
(561) 615-3988, (561) 615-3986 FAX

DISTRICT PARK "K"

LEGAL DESCRIPTION

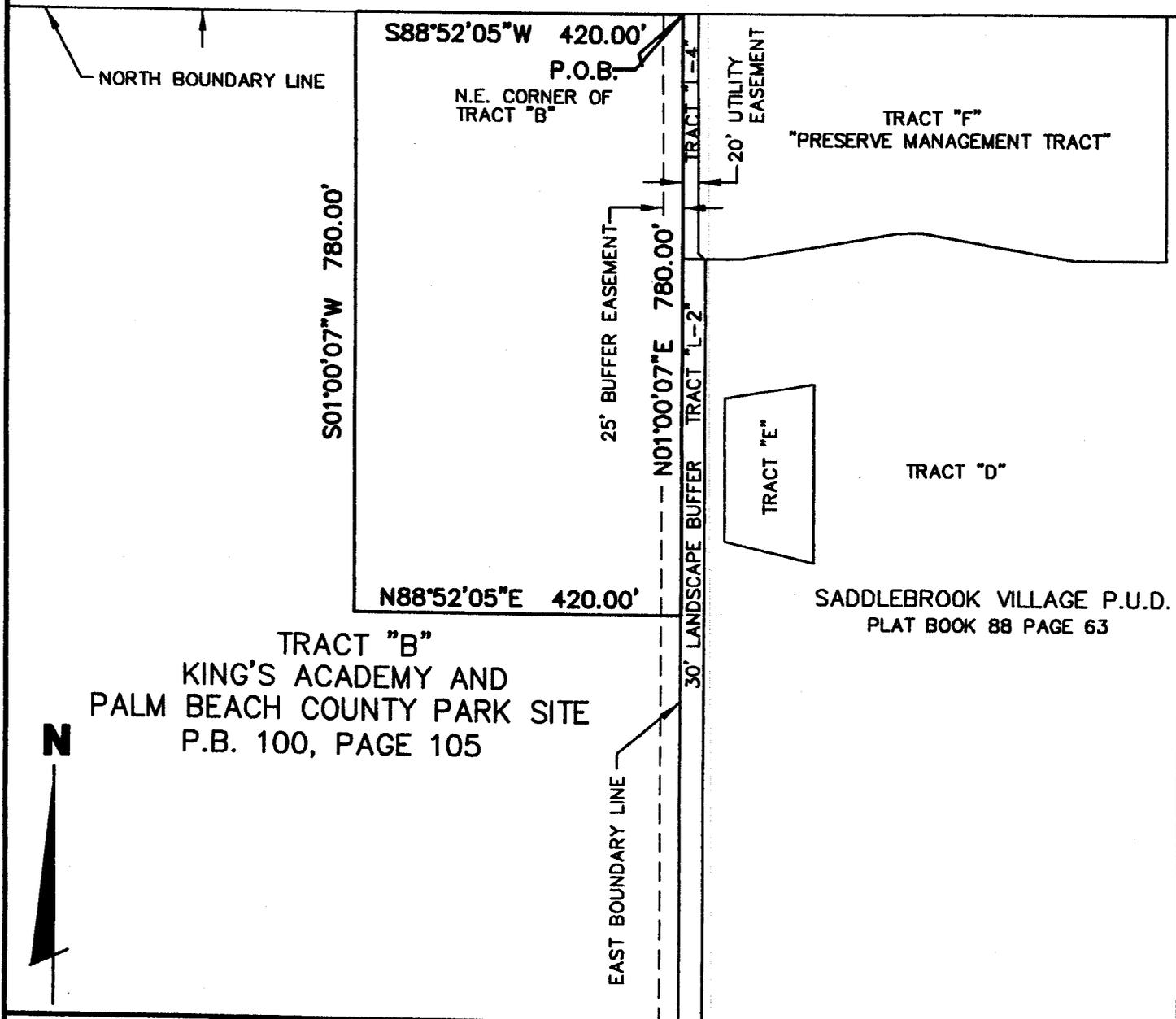
DRAWN: MB	PROJ. No. 01-072
CHECKED: JEP	SCALE: NONE
CONSERVATION EASEMENT	DATE: 5/23/2006
	SHEET 1 OF 2

REVISION: REVISED PER PRC PREM 7-17-06 & 7-27-06

TRACT "D"
 KING'S ACADEMY AND
 PALM BEACH COUNTY PARK SITE
 PLAT BOOK 100 PAGE 105

NORTH 47.19' OF THE EAST 1/2 OF TRACT 7, BLOCK 2,
 PALM BEACH FARMS CO. PLAT NO. 3, P.B. 2, PAGE 45
 (CHANCERY CASE No.407, OFFICIAL RECORD BOOK 6495 PAGE 761)

SOUTH BOUNDARY LINE OF TRACT D
 30' LAKE WORTH DRAINAGE DISTRICT CANAL L-2 (OFFICIAL RECORD BOOK 1585 PAGE 505)



B **BROWN & PHILLIPS, INC.**

PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407
 (561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION

THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 01-072
CHECKED: JEP	SCALE: 1" = 200'
CONSERVATION EASEMENT	DATE: 5/23/2006
	SHEET 2 OF 2