

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>0</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:

John D. Smith 8-7-06
 OFMB
ON 8/7/06

John H. Webster 8/7/06
 Contract Development and Control

B. Legal Sufficiency:

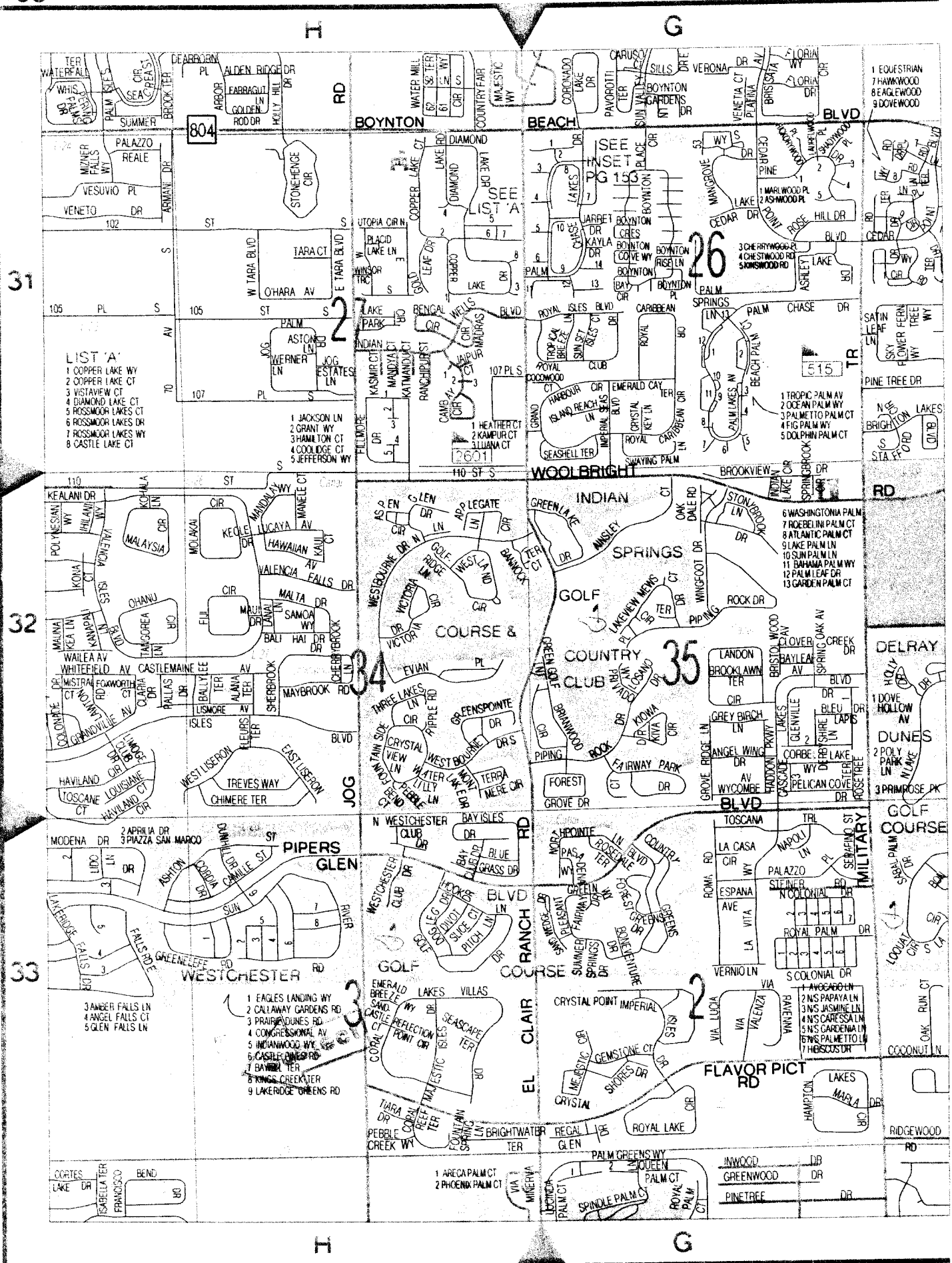
This item complies with current County policies.

J. J. [Signature] 8/8/06
 Assistant County Attorney
Consents not attached at time of CAO review.

C. Other Department Review:

 Department Director

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



31

32

33

804

27

84

3

26

35

2

- LIST 'A'
- 1 COPPER LAKE WY
 - 2 COPPER LAKE CT
 - 3 VISTAVIEW CT
 - 4 DIAMOND LAKE CT
 - 5 ROSSMOOR LAKES CT
 - 6 ROSSMOOR LAKES DR
 - 7 ROSSMOOR LAKES WY
 - 8 CASTLE LAKE CT

- 1 EAGLES LANDING WY
- 2 CALLAWAY GARDENS RD
- 3 PRAIRIE DUNES RD
- 4 CONGRESSIONAL AV
- 5 INDIANWOOD WY
- 6 CASTLE GLEN DR
- 7 BAYVIEW TER
- 8 KINGS CREEK TER
- 9 LAKERIDGE GREENS RD

- 1 TROPIC PALM AV
- 2 OCEAN PALM WY
- 3 PALMETTO PALM CT
- 4 FIG PALM WY
- 5 DOLPHIN PALM CT

- 6 WASHINGTONIA PALM
- 7 ROEBEL LN PALM CT
- 8 ATLANTIC PALM CT
- 9 LAKE PALM LN
- 10 SUN PALM LN
- 11 BAHAMA PALM WY
- 12 PALM LAKE DR
- 13 GARDEN PALM CT

LOCATION MAP

ATTACHMENT #1



Prepared by and Return to:
Larry B. Alexander, Esq.
Jones, Foster, Johnston & Stubbs, P.A.
P.O. Box 3475
West Palm Beach, FL 33402-3475

WILL CALL #85

MODIFICATION OF RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS that by a Special Warranty Deed with Restrictive Covenants dated June 23, 1999, and recorded in Official Record Book 11189, Page 1670, Theodore W. Winsberg and Gertrude K. Winsberg, husband and wife ("Grantor") conveyed the real property described therein to Palm Beach County, a political subdivision of the State of Florida, whose address is 301 North Olive Avenue, West Palm Beach, FL 33401 ("Grantee").

WHEREAS, the above-referenced Special Warranty Deed with Restrictive Covenants referenced above (the "Deed") reserved unto Grantor certain restrictive covenants (the "Restrictions") as more particularly set forth in the Deed; and

WHEREAS, Grantee has requested Grantor to modify the restrictive covenants with regard to the real property described in Exhibit A as hereinafter set forth, and Grantor has agreed to do so.

NOW THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Grantor, the Restrictions are modified as to the real property described on Exhibit A attached hereto only, and not as to the balance of the real property described in the Deed, as follows:


1. The property described on Exhibit A may be used for governmental uses, provided the west boundary of the real property described on Exhibit A shall be screened with vegetation and landscaping as approved by the Grantor prior to the commencement of construction. Said approval will not be unreasonably delayed, conditioned, or withheld. Except for the governmental uses referenced above, or as otherwise permitted in the Deed, no other use shall be made of the real property described on Exhibit A attached hereto.
2. This modification to the Restrictions applies only to the real property described on Exhibit A and limits its use for the purposes specified above, which may be enforced by Grantor, or Grantor's successors or assigns.

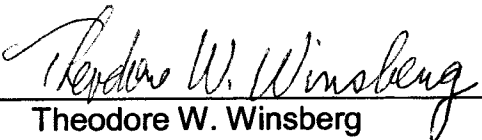
3. Except as herein modified, all of the terms and conditions of the Restrictions set forth in the Deed above shall remain in full force and effect, and are not affected by this instrument.

IN WITNESS WHEREOF, said Grantor has hereinto set their hands and seals the day and year first above written.

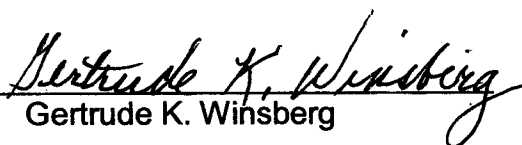
Signed, sealed and delivered
In presence of:

Grantor:


Print Name: Paul Cummings

By: 
Theodore W. Winsberg


Print Name: BEN WILLIAMSON

By: 
Gertrude K. Winsberg


Print Name: PAUL CUMMINGS


Print Name: BEN WILLIAMSON

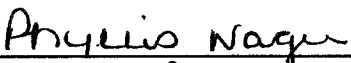
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing was acknowledged before me this 14 day of February, 2006, by Theodore W. Winsberg and Gertrude K. Winsberg, ___ who are personally known to me or who have produced _____, as identification and who ___ did ___ did not take an oath.

Notary Public, State of Florida



Phyllis Wager
My Commission DD165676
Expires November 17 2006


Print Name: Phyllis Wager
Commission Number: DD165676

My commission expires: 11/17/06

EXHIBIT "A"

Page 1 of 2

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT C OF THE PLAT OF WINSBERG WETLAND RESTORATION PROJECT AS RECORDED IN PLAT BOOK 102, PAGE 93 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF TRACT E OF THE PLAT OF WINSBERG FARMS P.U.D. AS RECORDED IN PLAT BOOK 102, PAGE 98 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE S70°48'16"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF FLAVOR PICT ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 11789, PAGE 54 OF SAID PUBLIC RECORDS FOR 389.78 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, S19°14'01"W FOR 174.64 FEET;

THENCE S53°02'33"W FOR 135.84 FEET;

THENCE N70°45'59"W FOR 208.27 FEET TO THE EAST LINE OF SAID TRACT E OF THE PLAT OF WINSBERG FARMS P.U.D.;

THENCE N01°00'28"W ALONG SAID EAST LINE FOR 306.15 FEET TO THE POINT OF BEGINNING.


CONTAINING 2.12 ACRES, MORE OR LESS.


BEARING BASIS: N01°00'28"W ALONG THE EAST LINE OF TRACT E OF THE PLAT OF WINSBERG FARMS P.U.D.

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

R/W - RIGHT-OF-WAY
O.R.B. - OFFICIAL RECORD BOOK
CL - CENTERLINE

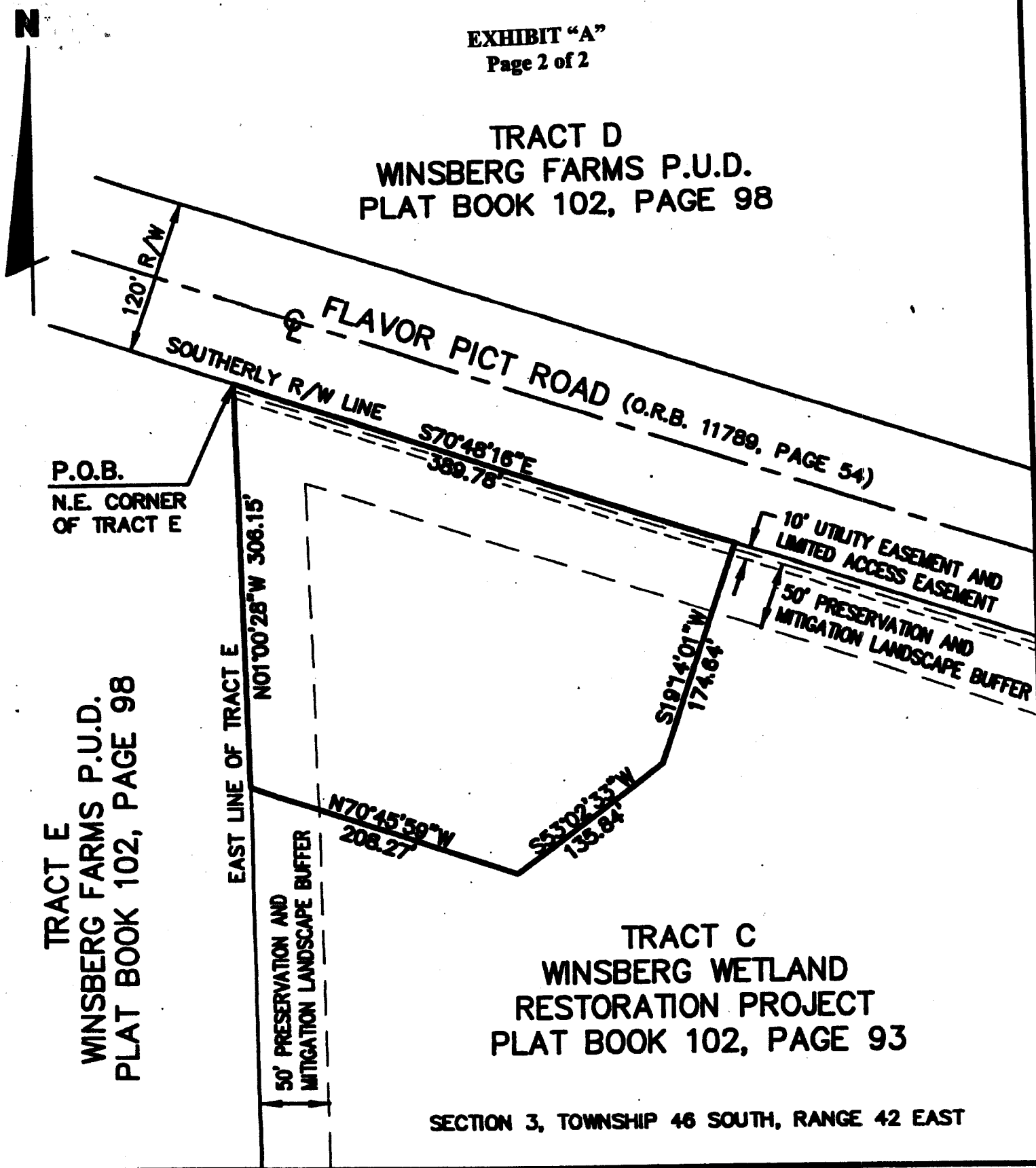

JOHN E. PHILLIPS II
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: 7/21/05

 **BROWN & PHILLIPS, INC.**
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407
(561) 215-7000 (561) 215-7000 FAX

LEGAL DESCRIPTION

DRAWN: DKW	PROJ. No. 05-040
CHECKED: TB	SCALE: NONE
FIRE STATION #44	DATE: JULY 2005

TRACT D
WINSBERG FARMS P.U.D.
PLAT BOOK 102, PAGE 98



SECTION 3, TOWNSHIP 46 SOUTH, RANGE 42 EAST



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) 615-3988 FAX

SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

THIS SKETCH IS NOT A SURVEY

DRAWN: DKW	PROJ. No. 05-040
CHECKED: TB	SCALE: 1" = 100'
FIRE STATION #44 WINSBERG PROPERTY	DATE: JULY 2005
	SHEET 2 OF 2