

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>	_____	_____	_____	_____
# 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:

[Handwritten signature] 6-28-06
 OFMB
[Handwritten signature] 6/28/06
 Contract Development and Control
[Handwritten signature] 6/29/06

B. Legal Sufficiency:
[Handwritten signature] 6/30/06
 Assistant County Attorney
This item complies with current County policies.

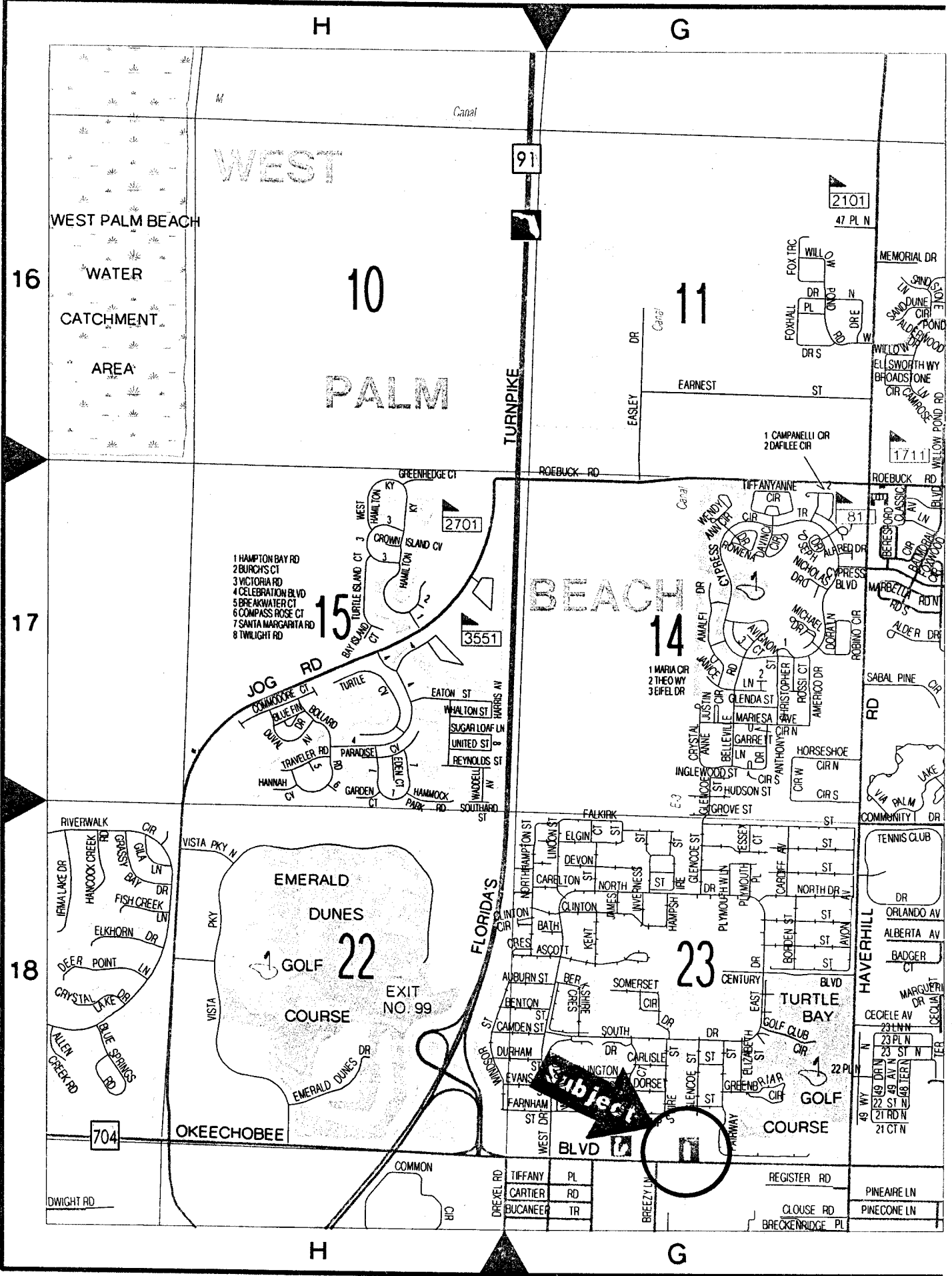
C. Other Department Review:

 Department Director

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

H

G



LOCATION MAP

ATTACHMENT # 1

Handwritten signature or initials.

Prepared By and Return to:
Peter Banting
Palm Beach County
Property and Real Estate Management Division
3200 Belvedere Road, Building 1169
West Palm Beach, Florida 33406-1544

Property Control Number: 00-42-43-23-00-000-5050

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida ("County"), whose address is c/o Palm Beach County Property and Real Estate Management Division, 3200 Belvedere Road, Building 1169, West Palm Beach, Florida 33406-1544.

WHEREAS, County is the owner of that certain real property located within Palm Beach County, Florida as set forth on **Exhibit "A"** attached hereto and made a part hereof (the "Property"); and

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

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

WITNESSETH:

NOW THEREFORE, County does hereby declare, grant and create a perpetual in gross utility easement for the benefit of County upon the real property legally described in **Exhibit "B"**, attached hereto (the "Easement Premises"). This easement shall be for the purpose of water and sewer utilities and shall include the right at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the Easement Premises. This easement or portion thereof can be utilized for a wastewater pump station and said pump station may be fenced in for access control purposes.

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

IN WITNESS WHEREOF, the County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:

COUNTY:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Tony Masilotti, Chairman

(Official Seal)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Assistant County Attorney

By: *Reth Audrey Wolf*
Audrey Wolf, Director
Facilities Development & Operations

EXHIBIT "A"

THE PROPERTY

THE SOUTH 289 FEET OF THE WEST 260 FEET OF THE SE ¼ OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS, HOWEVER, THE SOUTH 81 FEET THEREOF FOR RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD.

EXHIBIT "B"

THE EASEMENT PREMISES

Fire Station #23, West Palm Beach, Florida
Legal Description of Water Distribution Easement

A twenty foot (20') wide strip of land for water distribution easement purposes lying within "Parcel No. 1". A parcel of land lying in the Southeast quarter (¼) of Section 23, Township 43 South, Range 42 East, Palm Beach County, Florida, as recorded in the Warranty Deed recorded in Official Record Book 7001, Pages 1752 through 1754, of the Public Records of Palm Beach County, Florida.
The Centerline of said 20.00 wide easement being more particularly described as follows:

(Bearings and distances shown hereon are based on the Palm Beach County breakdown of said Section 23, Township 43 South, Range 42 East, which shows the South line of the Southwest quarter of said Section 23 bearing South 88°40'34" East. Bearings shown on recorded document of said Warranty Deed are assumed data.

Commencing at the Southwest corner of the Southeast quarter (¼) of said Section 23, Township 43 South, Range 42 East;
Thence North 01°28'39" East 289.00 feet along the West line of the Southeast quarter of said Section 23;
Thence South 88°26'18" East 50.00 feet to the Southwest corner of said "Parcel 1";
Thence South 88°26'18" East 218.75 feet along the South line of said "Parcel 1" to the Point of Beginning.
Thence North 01°33'42" East 19.69 feet to a point to be labeled Point 'A' for description purposes;
Thence North 59°38'00" West 55.29 feet;
Thence North 03°23'30" East 10.00 feet to a point to be labeled Point 'B' for description purposes;
Thence South 86°36'30" East 40.54 feet;
Thence North 47°28'13" East 46.87 feet;
Thence North 29°41'19" East 31.85 feet;
Thence North 01°24'32" East 146.66 feet;
Thence North 46°34'17" West 41.53 feet to a point to be labeled Point 'C' for description purposes;
Thence North 46°34'17" West 30.10 feet;
Thence North 88°26'18" West 6.00 feet;
Thence North 01°33'42" East 16.79 feet to a Point of Terminus;
For closure purposes continue North 01°33'42" East 15.00 feet to a point on the North line of said "Parcel 1";
Thence North 88°26'18" West 200.58 feet along the North line of said "Parcel 1" to the Northwest corner of said "Parcel 1" for a point of closure.
Beginning at before labeled Point 'A';
Thence North 88°26'18" West 120.00 feet to a Point of Terminus;
Beginning at before labeled Point 'A'
Thence South 88°26'18" East 100.05 feet (more or less) to a point on the East line of said "Parcel 1" and a Point of Terminus.
Beginning at before labeled Point 'B';
Thence North 89°29'29" West 36.00 feet to a Point of Terminus;
Beginning at before labeled Point 'C';
Thence South 44°45'47" West 61.00 feet;
Thence South 89°45'47" West 30.00 feet to a Point of Terminus;
The side lines of said easement to be shortened or prolonged to be at right angles (90°00'00") to the end points of the centerline of said described easement.



Christopher J. Huth, Registered Surveyor & Mapper #4299

214 NE 3rd Street, Boynton Beach FL 33435 561-738-0987

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SKETCH OF LEGAL DESCRIPTION
NOT A BOUNDARY SURVEY

