Agenda Item #: 3H-18

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	August 20, 2024	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Developmen	it & Operations	
	I. <u>E</u>	XECUTIVE BRIEF	
Beach County to p		he new Supervisor of El	aration of Easement in favor of Palm ections Office (SOE) located at 4301
in unincorporated SOE facility provi areas, B-1 and B-2 sq. ft. (0.3557 acre approximately 20 easement being grainly will be recorded in	West Palm Beach. The ded by the County's Water. Area B-1 is 20 foot widers) and area B-2 varies in various, 008.62 square feet (0.4) ranted at no charge since in the public records of Pa	Declaration of Easeme er Utilities Department (e and varies in length end width from approximate 593 acres). The Declar it provides service only lm Beach County. The	Road Complex, east of Military Trail, nt is for water/sewer services to the (WUD). There are two (2) easement compassing approximately 15,495.54 by 26 feet to 31 feet and encompasses aration of Easement is a perpetually to the SOE facility. The easement re is no fiscal impact associated with gement) District 7 (HJF)
which is east of M in August 2023 ar	ilitary Trail and north of B	selvedere Road. Construpleted in April 2024. T	roximately 20 acres on Cherry Road, action of the SOE facility commenced the Easement will be recorded in the
	ation Map ity Easement Agreement	w/Exhibit "A" and Exhi	bits "B-1" and "B-2"
Recommended B	y: Penartn	a al Cello	7/16/24 Date
Approved By: _	W	Sale Administrator	7/26/34 Date

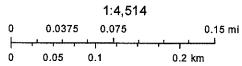
II. FISCAL IMPACT ANALYSIS

A.	Five Year Summary of	Fiscal Impact	i:			
Fis	cal Years	2024	2025	2026	2027	2028
	pital Expenditures			 		
	erating Costs ernal Revenues			***************************************		
Pro	gram Income (County)		***************************************			
In-	Kind Match (County					
NE	T FISCAL IMPACT	<u>Q</u>	<u>O</u>	0	0	0
	DDITIONAL FTE SITIONS (Cumulative)				***************************************	
Is I	tem Included in Current l	Budget: Yes		No X	-	
Do	es this item include the use	of federal fu	nds? Yes	No X_	_	
Do	es this item include the use	of state fund	ls? Yes	No <u>X</u>	-	
Buc	lget Account No: Fund	D Program		Unit	Object	
В.	Recommended Sources	of Funds/Sun	nmary of Fis	cal Impact:		
	No fiscal impact					
	Fixed Asset Number	N/A	D. wsr.	FAMODE	ins H	
C.	Departmental Fiscal Re	view:	m A	Len_		
		III. <u>REV</u>	IEW COMM	<u>IENTS</u>		
Α.	OFMB Fiscal and/or Co	ntract Develo	opment Com	ments:		
(OFMB (35 1/10/24	Thehon	X/al	MUG W evelopment ar	MOND ;	1/23/2
В.	Legal Sufficiency:	1-91	ין אינוניאני אמר באמוני אמר באמוני	• /		
	Assistant County Attorne	<u> </u>	43/24			
C.	Other Department Revi	ew:				
	Department Director					
	This summary is not to	be used as a b	asis for payı	nent.		

LOCATION MAP 00-42-43-25-33-001-0000



July 9, 2024



ATTACHMENT 1

Prepared by & Return to: Ben Williamson, Real Estate Manager Palm Beach County Property & Real Estate Management Division 2633 Vista Parkway West Palm Beach, Florida 33411-5605

PCN: portions of 00-42-43-25-33-01-0000

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made August 20, 2014, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, ("County"), whose address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605.

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-1" and Exhibit "B-2"**, attached hereto (collectively 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, together with reasonable access across the Property to 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:
JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Deputy Clerk	By: Maria Sachs, Mayor
APPROVED AS TO LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS By: Promise C. agal Collage
By: Assistant County Attorney	Department Director

G:\PREM\Dev\Open Projects\GG-Supervisor of Elections Cherry Road\WUD Easement 2024\Dec of Easement.7-2-24 mj.docx

EXHIBIT "A"

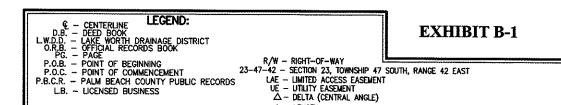
THE PROPERTY

TRACT A OF CHERRY ROAD COMPLEX PLAT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 114, PAGE 114 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS SOUTHERLY 10 FT OF W 671.42 FT FOR CHERRY ROAD RIGHT-OF-WAY.

EXHIBIT "B-1"

THE EASEMENT PREMISES

- LENGTH - RADIUS - RADIAL BEARING UTILITY EASEMENT



SURVEYOR'S NOTES:

- SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
 ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
 LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.

- 4. BEARINGS SHOWN HEREON ARE BASED UPON A GRID BEARING OF S88*57'15"E (NAD 83/90 ADJUSTMENT) ALONG THE SOUTH LINE OF THE PLAT OF CHERRY ROAD COMPLEX, P.B. 114, PGS 114-15.
- 5. THE DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
- 6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
 7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

CERTIFICATE:

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 JUNE 18. 2024. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

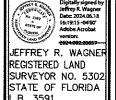
THIS IS NOT A SURVEY

SHEET 1 OF 6



(561)-392-1991 / FAX (561)-

CHERRY ROAD COMPLEX UTILITY EASEMENT EAST SKETCH OF DESCRIPTION



DATE	6/18/2024
DRAWN B	Y RFJ
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9867

© - CENTERLINE LEGEND:
D.B. - DEED BOOK
L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
O.R.B. - OFFICIAL RECORDS BOOK
P.G. - PAGE
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
P.B.C.R. - PALM BEACH COUNTY PUBLIC RECORDS
L.B. - LICENSED BUSINESS LEGEND:

EXHIBIT B-1

R/W - RIGHT-OF-WAY

23-47-42 - SECTION 23, TOWNSHIP 47 SOUTH, RANGE 42 EAST
LAE - LIMITED ACCESS EASEMENT
UE - UTILITY EASEMENT

\(\triangle - DELTA (CENTRAL ANGLE) \)

L - LENGTH
R - RADIUS
B - RADIAL BEARING
- UTILITY EASEMENT

DESCRIPTION:

A PORTION OF TRACT "A" OF CHERRY ROAD COMPLEX PLAT, AS RECORDED IN PLAT BOOK 114, PAGES 114-115, PUBLIC RECORDS OF PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT A; THENCE S 88°57'15" E, ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE THEREOF, A DISTANCE OF 697.31 FEET; THENCE N 00°21'24" W, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE N 00°21'24" W, A DISTANCE OF 203.78 FEET; THENCE N 89°16'12" W, A DISTANCE OF 83.64 FEET; THENCE N 00° 00'00" W, A DISTANCE OF 20.00 FEET; THENCE S 89°16'12" E, A DISTANCE OF 83.51 N 00' 00'00" 'FEET; THENCE

N 00'21'24" W, A DISTANCE OF 72.35 FEET; THENCE N 45'02'12" W, A DISTANCE OF 26.14
FEET; THENCE N 01'38'01"E, A DISTANCE OF 311.48 FEET; THENCE N 40'17'18" W, A DISTANCE
OF 30.79 FEET; THENCE N 01'10'21" E, A DISTANCE OF 26.71 FEET TO THE SOUTH LINE OF LWDD CANAL L-2; THENCE

S 88'49'39" E, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 20.00 FEET; THENCE S 01"10'21" W, A DISTANCE OF 19.15 FEET; THENCE S 40"17'18" E, A DISTANCE OF 30.89 FEET; THENCE S 01"38'01" W, A DISTANCE OF 310.52 FEET; THENCE S 45"02'12" E, A DISTANCE OF 25.74 FEET; THENCE S 00"21'24" E, A DISTANCE OF 304.84 FEET; THENCE N 88"57'10"W, A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 15495.54 SQUARE FEET/ 0.3557 ACRES, MORE OR LESS. FEET

THIS IS NOT A SURVEY

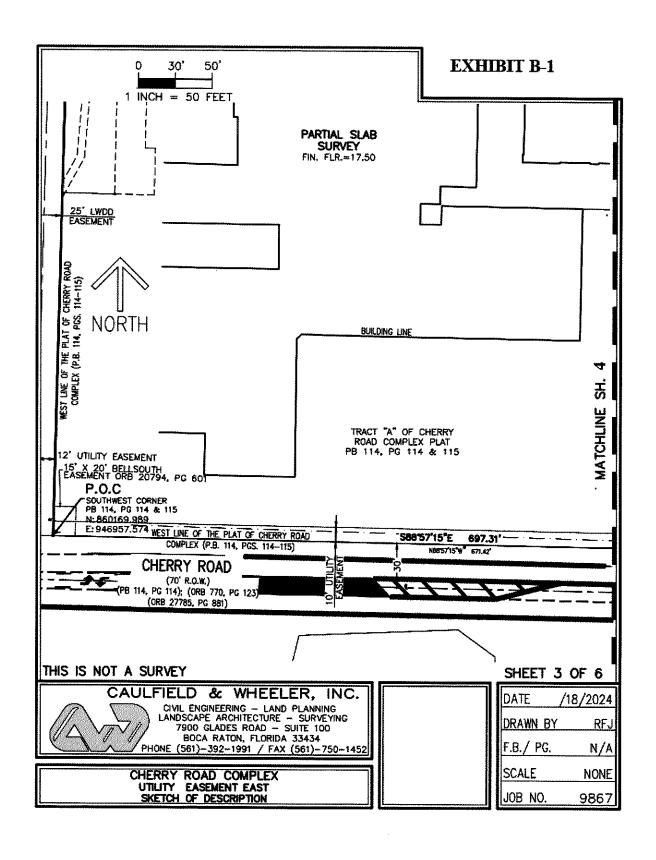
SHEET 2 OF 6

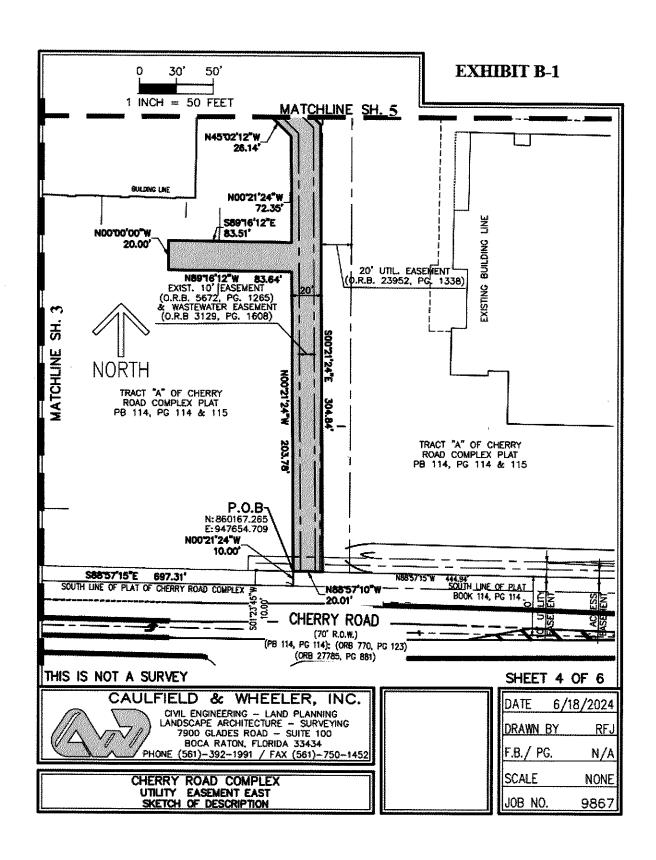
CAULFIELD & WHEELER, INC. CIVIL ENGINEERING — LAND PLANNING LANDSCAPE ARCHITECTURE — SURVEYING 7900 GLADES ROAD — SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)—392—1991 / FAX (561)—750—1452

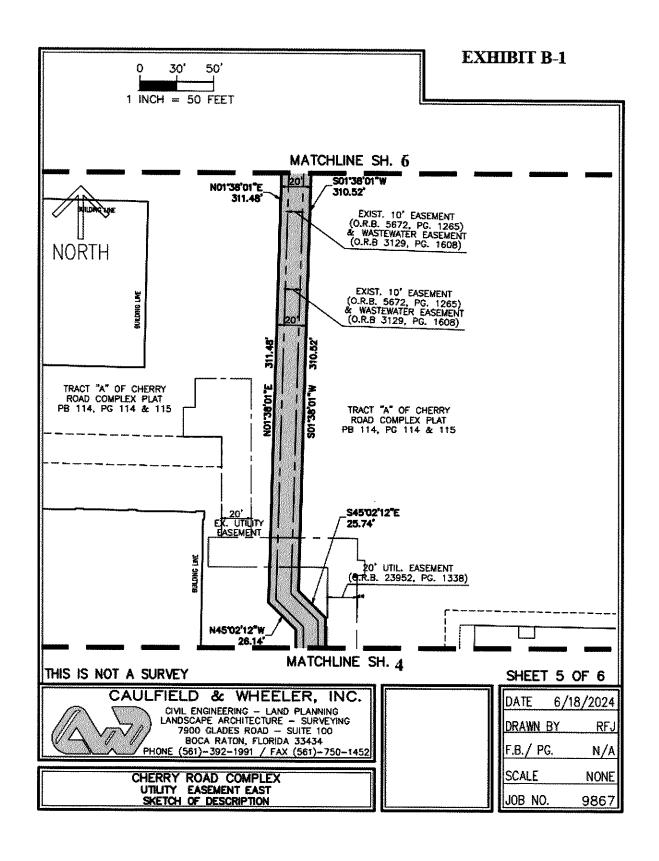
CHERRY ROAD COMPLEX
UTILITY EASEMENT EAST
SKETCH OF DESCRIPTION



DATE 6/18/2024 DRAWN BY **RFJ** F.B./ PG. N/A SCALE NONE JOB NO. 9867







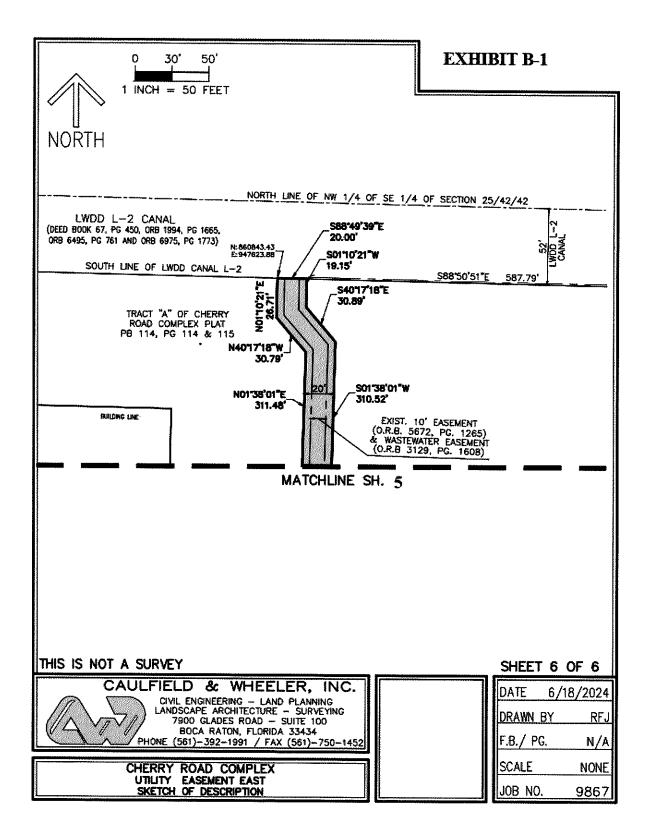
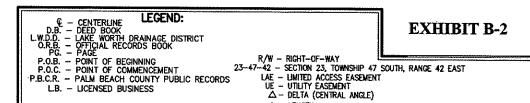


EXHIBIT "B -2"

THE EASEMENT PREMISES



— LENGTH R — RADIUS B — RADIAL BEARING UTILITY EASEMENT

SURVEYOR'S NOTES:

- 1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.

 2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

 3. LANDS SHOWN HEREON WERE NOT ARSTRACTED BY THE SIRVEYOR FOR PICHTS—OF—WAY.
- 3. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- 4. BEARINGS SHOWN HEREON ARE BASED UPON A GRID BEARING OF NO1"27"34"E (NAD 83/90 ADJUSTMENT) ALONG THE WEST LINE OF THE PLAT OF CHERRY ROAD COMPLEX, P.B. 114, PGS 114-15.
- 5. THE DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
- THE DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
 DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
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THIS IS NOT A SURVEY

CAULFIELD & WHEELER, INC. CIVIL ENGINEERING — LAND PLANNING
LANDSCAPE ARCHITECTURE — SURVEYING
7900 GLADES ROAD — SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)—392—1991 / FAX (561)—750—1

CHERRY ROAD COMPLEX UTILITY EASEMENT WEST SKETCH OF DESCRIPTION



JEFFREY R. WAGNE REGISTERED LAND SURVEYOR NO. 5302 STATE OF FLORIDA 3591

SHEET 1 OF 6

DATE 6/	18/2024
DRAWN BY	RFJ
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	9867

LEGEND:

EXHIBIT B-2

© - CENTERLINE
D.B. - DEED BOOK
L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
O.R.B. - OFFICIAL RECORDS BOOK
P.G. - PAGE
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
P.B.C.R. - POINT BEGINNING
P.B.C.R. - POINT OF COMMENCEMENT

R/W - RIGHT-OF-WAY

23-47-42 - SECTION 23, TOWNSHIP 47 SOUTH, RANGE 42 EAST
LAE - LIMITED ACCESS EASEMENT
UE - UTILITY EASEMENT

\(\triangle - DELTA (CENTRAL ANGLE) \)

L — LENGTH R — RADIUS B — RADIAL BEARING — UTILITY EASEMENT

DESCRIPTION:

A PORTION OF TRACT "A" OF CHERRY ROAD COMPLEX PLAT, AS RECORDED IN PLAT BOOK 114, PAGES 114 AND 115, PUBLIC RECORDS OF PALM BEACH COUNTY,, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT A; THENCE NO1°27'34"E, A DISTANCE OF 233.65 FEET ALONG THE WEST LINE THEREOF, THENCE S88°32'26"E, A DISTANCE OF 35.33 FEET TO THE POINT OF BEGINNING; THENCE NOT'09'10"E, A DISTANCE OF 253.76 FEET; THENCE N45'47'36"E, A DISTANCE OF 92.47 FEET; THENCE S89"00'20"E, A DISTANCE OF 210.55 FEET; THENCE S01"08'55"W, A DISTANCE OF 77.72 FEET; THENCE S43"51'05"E, A DISTANCE OF 55.29 FEET; THENCE S88"51'38"E, A DISTANCE OF 259.09 FEET; THENCE N90'00'00"E, A DISTANCE OF 26.00 FEET; THENCE S00'00'00"E, A DISTANCE OF 20.53 FEET; THENCE N88'51'30"W, A DISTANCE OF 293.78 FEET; THENCE N43'51'05"W, A DISTANCE OF 10.13 FEET; THENCE S46'08'26"W, A DISTANCE OF 12.07 FEET; THENCE S00'55'37"W, A DISTANCE OF 8.26 FEET; THENCE N88'53'49"W, A DISTANCE OF 20.46 FEET; THENCE N00'10'13"W, A DISTANCE OF 7.33 FEET; THENCE N43"51'34"W, A DISTANCE OF 6.10 FEET; THENCE NOO"00'00"W, A DISTANCE OF 6.93 FEET; THENCE N46'08'26"E, A DISTANCE OF 13.11 FEET; THENCE S43'51'34"E, A DISTANCE OF 5.00 FEET; THENCE N46'08'26"E, A DISTANCE OF 9.39 FEET; THENCE N43'51'05"W, A DISTANCE OF 41.72 FEET; THENCE N01'08'55"E, A DISTANCE OF 65.95 FEET; THENCE N89'00'12"W, A DISTANCE OF 182.17 FEET; THENCE S45'47'36"W, A DISTANCE OF 75.94 FEET; THENCE S01'08'35"W, A DISTANCE OF 213.77 FEET; THENCE S89'02'02"E, A DISTANCE OF 6.88; THENCE S01"17'04"W, A DISTANCE OF 31.72 FEET; THENCE N89"02'02"W, A DISTANCE OF 26.84 FEET TO THE POINT OF BEGINNING.

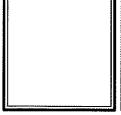
CONTAINING 20,008.62 SQUARE FEET/ 0.4593 ACRES, MORE OR LESS, FEET

THIS IS NOT A SURVEY

SHEET 2 OF 6

CAULFIELD & WHEELER, INC. CIVIL ENGINEERING - LAND PLANNING LANDSCAPE ARCHITECTURE - SURVEYING 7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452

CHERRY ROAD COMPLEX UTILITY EASEMENT WEST SKETCH OF DESCRIPTION



DATE 6/18/2024 DRAWN BY RFJ F.B./ PG. N/A **SCALE** NONE JOB NO. 9867

