



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>0</u>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes \_\_\_\_\_ No x

Does this item include the use of federal funds? Yes \_\_\_\_\_ No x

Does this item include the use of state funds? Yes \_\_\_\_\_ No x

Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
 Program \_\_\_\_\_

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

No fiscal impact.

Fixed Assets Number H10071  
 PCN:00-42-46-17-10-001-0000

*Asset number reserved in the event it is required to be established and pending approval. A. Williams, Mgr., FMS, OFMB 11/1/24*

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

**III. REVIEW COMMENTS**

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

*ASD* 11/4/24  
 OFMB *SA* 11/4/24

*Bruno de Macho* 11/4/24  
 Contract Development and Control

**B. Legal Sufficiency:**

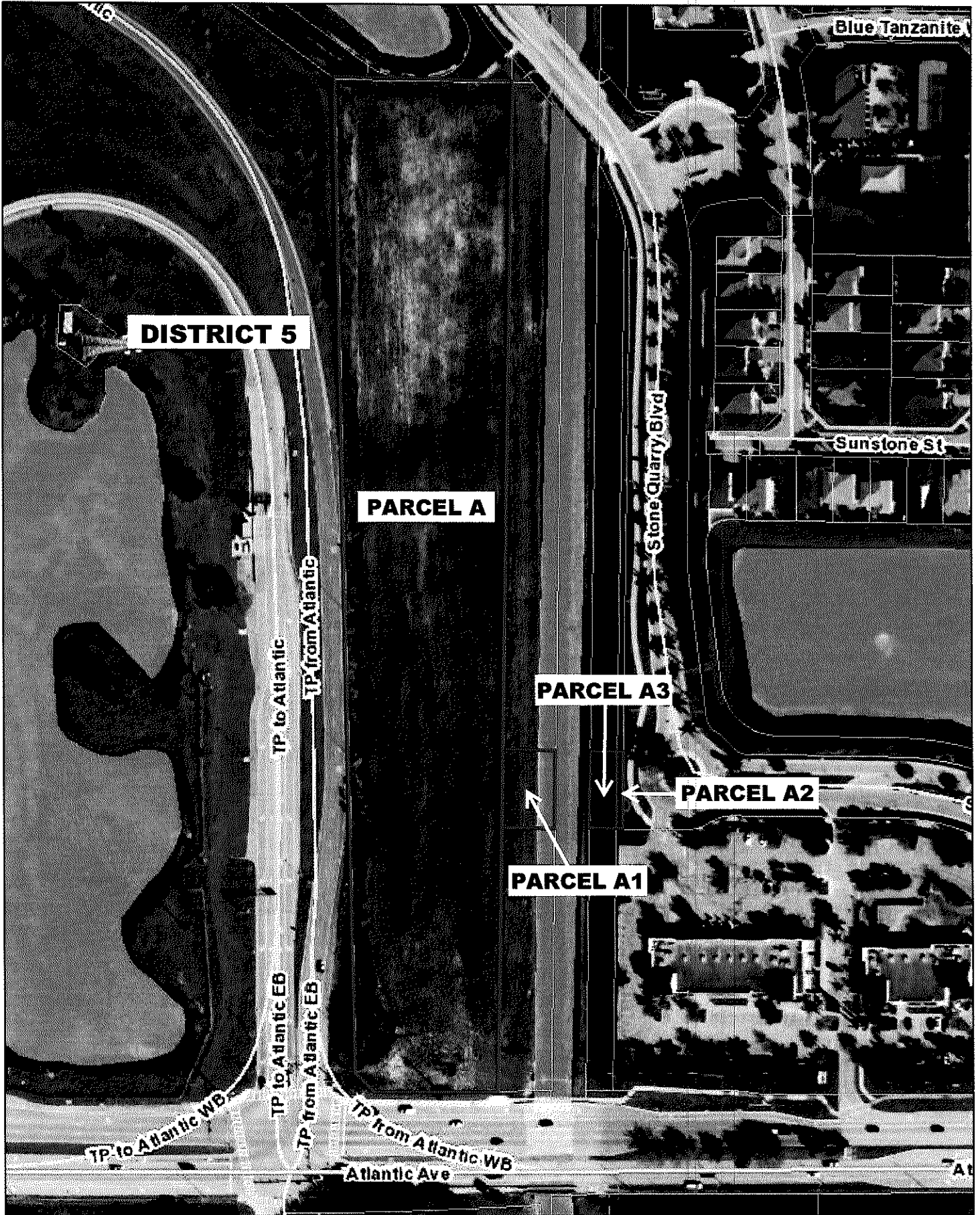
*[Signature]* 11/6/24  
 Assistant County Attorney

**C. Other Department Review:**

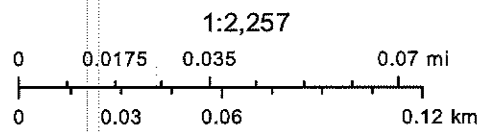
\_\_\_\_\_  
 Department Director

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

# LOCATION MAP



July 18, 2024



## Attachment 1

**ATTACHMENT 2**  
**ASSIGNMENT AND ASSUMPTION OF OFFSITE DRAINAGE EASEMENT**  
**5 Pages**

PREPARED BY AND 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: portion of 00-42-46-17-10-001-0000

**ASSIGNMENT AND ASSUMPTION OF OFFSITE DRAINAGE EASEMENT**

This ASSIGNMENT AND ASSUMPTION OF OFFSITE DRAINAGE EASEMENT (the "Assignment") is made this 3<sup>rd</sup> day of December, 2024, between **Palm Beach County**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4705, hereinafter referred to as "County", and **Atlantic Commons Associates, LLLP**, a Florida limited liability limited partnership, whose mailing address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323, hereinafter referred to as "Developer".

WITNESSETH:

**WHEREAS**, County and Developer entered into that certain Civic Site Dedication Agreement on April 2, 2013 (R2013-0396), (as amended, the "Agreement")

**WHEREAS**, pursuant to the Agreement, Developer is required to provide a positive storm water outfall easement required for drainage from any future development of the Atlantic Commons civic site parcels as legally described in Exhibit "A", attached hereto and made a part hereof (Civic Site Parcels), into the storm water management system located immediately north of the Civic Site Parcels; and

**WHEREAS**, Developer dedicated in dedication 16 an offsite drainage easement for drainage purposes pursuant to the Atlantic Commons - Plat Three recorded in Official Plat Book 117, Pages 143 through 146, Public Records of Palm Beach County (the "Easement"); and

**WHEREAS**, Developer, its successors and assigns, has the perpetual maintenance obligation of all drainage facilities located within the Easement; and

**WHEREAS**, County and Developer desire that the Easement be assigned by Developer to the County.

**NOW, THEREFORE**, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee hereby agree as follows:

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

2. Developer hereby irrevocably assigns, conveys and transfers to County all of Developer's right, title and interest in and to the Easement, together with all maintenance responsibilities of drainage facilities located within the Easement pursuant to Atlantic Commons - Plat Three, as depicted in Exhibit "B", attached hereto and made a part hereof ("Easement Area").

3. County hereby accepts such assignment from Developer and assumes all right, title and interest of Developer in and to the Easement. Further, PBC covenants and agrees to assume the performance of all maintenance responsibilities of drainage facilities within the Easement Area pursuant to Atlantic Commons - Plat Three.

4. Nothing herein contained shall be deemed to be a gift or dedication to or for the general public and this Assignment shall be strictly limited to and for the purposes expressed herein.

5. This assignment is expressly contingent upon the approval of the Palm Beach County Board of Commissioners, and shall become effective only when executed by both parties, approved by the Palm Beach County Board of County Commissioners, and recorded (the recording date being the "Effective Date").

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, County and Developer have caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST:

JOSEPH ABRUZZO  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

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

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

By: \_\_\_\_\_  
Mayor

APPROVED AS TO  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND  
CONDITIONS

By: [Signature]  
Assistant County Attorney

By: [Signature]  
Department Director

ATLANTIC COMMONS ASSOCIATES,  
LLLP, a Florida limited liability limited  
partnership

By: Atlantic Commons Corporation, a  
Florida corporation, its general  
partner

[Signature]  
Witness Signature  
Clayton Retiff  
Print Name

By: [Signature]  
Name: N. Marie Mendez  
Title: V.P.

1600 Suncoast Corp Pkwy, Ste 400, Sunrise, FL 33323  
Witness Address

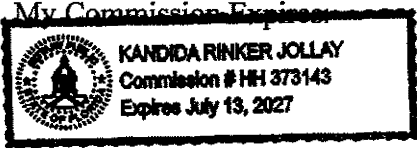
[Signature]  
Witness Signature  
Kimberly Kinkerbly  
Print Name  
1600 Suncoast Corp Pkwy #400 Sunrise FL 33323  
Witness Address

STATE OF FLORIDA       )  
COUNTY OF BROWARD    )

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of  physical presence or  online notarization this 30 day of October 2024, by N. Maria Menendez, as Vice President of Atlantic Commons Corporation, a Florida corporation, general partner of Atlantic Commons Associates, LLLP, a Florida limited liability partnership, on behalf of such corporation and partnership  who is personally known to me or  who has produced \_\_\_\_\_ as identification and who did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30 day of October, 2024.

Kandida Rinker Jolley  
\_\_\_\_\_  
Notary Public  
Kandida Rinker Jolley  
\_\_\_\_\_  
Typed, Printed or Stamped name of Notary Public



G:\PREM\Dev\Open Projects\PUD - Atlantic Commons\Civic Site Closing\Assignment of Easement. 10-22-24 rev mj rev 10-25-24 mj clean.docx



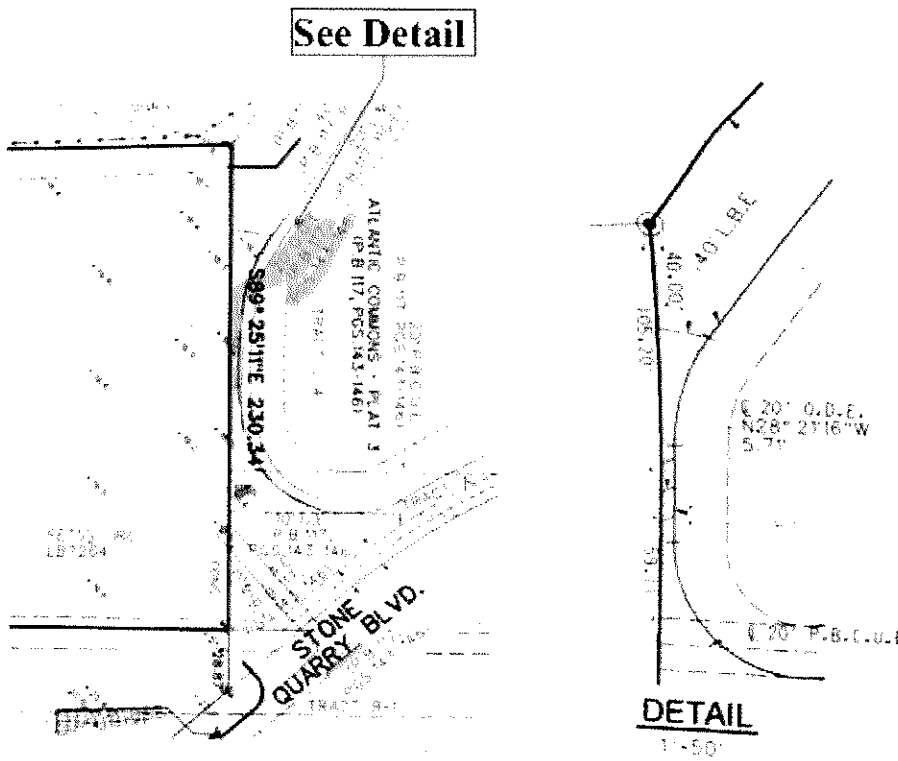
**EXHIBIT A**  
Civic Site Parcels

Tract A of ATLANTIC COMMONS - PLAT FOUR, according to the plat thereof recorded in Plat Book 118, Page 58, and Tract A-1 of ATLANTIC COMMONS - PLAT SIX, according to the plat thereof recorded in Plat Book 129, Page 74, both of the public records of Palm Beach County, Florida.

**EXHIBIT "B"**  
**Easement Area**

As dedicated under Dedication #16 on page 143 and depicted on page 145 of the Atlantic Commons – Plat Three, as recorded in Plat Book 112, Pages 143 through 146, public records of Palm Beach County, Florida.

portion of Page 145 of Atlantic Commons - Plat Three



**NONGOVERNMENTAL ENTITY HUMAN  
TRAFFICKING AFFIDAVIT (§ 787.06(13), Fla. Stat.)**  
THIS AFFIDAVIT MUST BE SIGNED AND NOTARIZED

I, the undersigned, am an officer or representative of Atlantic Commons Associates, LLLP, a Florida limited liability limited partnership (CONTRACTOR) and attest that CONTRACTOR does not use coercion for labor or services as defined in section 787.06, Florida Statutes.

**Under penalty of perjury, I hereby declare and affirm that the above stated facts are true and correct.**

  
(signature of officer or representative)

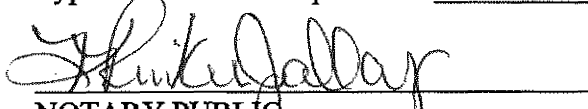
N. Maria Menendez, Vice President of GP  
(printed name of officer or representative)

**State of Florida, County of Palm Beach**

Sworn to and subscribed before me by means of  physical presence or  online notarization this, 30 day of October 2024, by N. Maria Menendez.

Personally known  OR produced identification .

Type of identification produced \_\_\_\_\_.

  
NOTARY PUBLIC  
My Commission Expires: 7.13.2027  
State of Florida at large

(Notary Seal)

