

07-PE.17-04/93

This instrument prepared
under the direction of:
Laurice C. Mayes, Esq. _____
Legal description prepared by:
Diana Holmer (06-07-06) _____
Department of Transportation
3400 W. Commercial Boulevard
Ft. Lauderdale, Florida 33309

Parcel No. 802.1R(06-07-06)
Item/Segment No. 2319181
Section No. 93220-2480
Managing District: 04
S.R. No. 9 (I-95)
County: Palm Beach

*** CORRECTIVE PERPETUAL EASEMENT**

* This Corrective School Board Perpetual Easement is being executed to correct an error in the legal description which appeared in the easement recorded in Official Records Book 15265, Page 1785, of the Public Records of Palm Beach County, Florida. The area of the parcel was not affected.

THIS EASEMENT made this _____ day of _____, 200____, by THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, a corporate body, whose address is: 3320 Forest Hill Boulevard #C331, West Palm Beach, Florida 33406, grantor, to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, its successors and assigns, grantee.

WITNESSETH: That the grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the grantee, its successors and assigns, a perpetual easement for drainage, access, construction, relocation, and maintenance purposes. More specifically, said perpetual easement will include a perpetual right to the use of the surface area for the collection and distribution of drainage water and to do any ditching or piping necessary to carry out this work; also, a perpetual right to enter upon said lands for the purpose of constructing, inspecting, protecting and maintaining the drainage and highway structures and to perform any and all things necessary for the continued and uninterrupted use of same for highway purposes in, over, under, upon and through the following described land in Palm Beach County, Florida, viz:

Parcel No. 802

Item/Segment No. 2319181
(Section No. 93220-2480)

Commence at a brass disk stamped Palm Beach County, found in a concrete monument marking the Northwest Corner of the Southwest One-Quarter (S.W. ¼) of said Section 28; thence South 87°55'23" East along the South line of the Northwest Quarter (N.W. ¼) of said Section 28, a distance of 1,461.36 feet to a point on the Baseline of Survey for State Road 9 (I-95) as shown on the Florida Department of Transportation Right of Way Map for said State Road 9 (I-95), Item Segment No. 2319181 (Section No. 93220-2480), said point being on a curve concave Westerly, having a chord bearing of North 00°16'28" East and a radius of 24,555.33 feet; thence Northerly along said Baseline of Survey and said curve, through a central angle of 01°30'30" and an arc distance of 646.46 feet to the end of said curve; thence North 00°28'47" West along said Baseline of Survey, a distance of 852.80 feet to station 1094+90.00 being a point on the North line of the proposed detention pond portion of Parcel 108, as shown on said Right of Way Map, said point being Reference Point "G" and the POINT OF BEGINNING; thence South 89°31'13" West along the North Line of the Detention Pond portion of Parcel 108 as shown on said Right of Way Map, a distance of 120.29 to a point on a curve concave Easterly being the common property line between the ownership of the City of Lake Worth and The School Board of Palm Beach County, Florida; said curve concave Easterly having a chord bearing of North 19°16'49" West and a radius of 560.00 feet; thence Northwesterly along said curve through a central angle of 09°46'42" and an arc distance of 95.57 feet to the end of said curve being a point on the Westerly Existing Aerial Limited Access Right of Way Line for said State Road 9 (I-95) as shown on said Right of Way Map; thence North 01°23'56" East along said Westerly Existing Aerial Limited Access Right of Way Line, a distance of 343.92 feet to a point on the North line of said Tract 5; thence South 88°23'28" East along said North line a distance of 242.61 feet to a point on a curve being on the Easterly Existing Aerial Limited Access Right of Way Line for said State Road 9 (I-95) as shown said Right of Way Map, said point being on a curve concave Easterly, having a chord bearing of South 00°29'34" West and a radius of 7,539.44 feet; thence Southerly along said Easterly Existing Limited Access Right of Way Line through a central angle of 01°06'34" and an arc distance of 145.98 feet to the end of said curve being a point on a common line being the property line between the ownership of City of Lake Worth and The School Board of Palm Beach County, Florida; thence North 87°58'09" West along said common line, a distance of 24.69 feet; thence South 01°11'11" East continuing along said common line, a distance of 280.40 feet to a point on the North line of said Detention Pond portion of Parcel 108; thence South 89°31'13" West along said North line, a distance of 78.99 feet to the POINT OF BEGINNING.

Less and except the following described nine (9) Less-out parcels:

Less-out No. 1:

Commence at Reference Point "G"; thence continue along said Baseline of Survey, North 00°28'47" West, a distance of 62.50 feet to Reference Point "H" at station 1095+52.50; thence South 89°57'23" West, a distance of 23.50 feet to the POINT OF BEGINNING.

Less-out No. 2:

Commence at Reference Point "H"; thence South 89°57'23" West, a distance of 79.00 feet to the POINT OF BEGINNING; thence South 00°02'37" East, a distance of 6.00 feet; thence South 89°57'23" West, a distance of 62.82 feet to the beginning of a curve concave Northeasterly, having a chord bearing of North 17°13'56" West and a radius of 560.00 feet; thence Northerly along said curve, through a central angle of 01°17'07", an arc distance of 12.56 feet to the end of said curve; thence North 89°57'23" East, a distance of 66.53 feet; thence South 00°02'37" East, a distance of 6.00 feet to the POINT OF BEGINNING.

AND

Less-out No. 3:

Commence at Reference Point "H"; thence continue along said Baseline of Survey, North 00°28'47" West, a distance of 90.50 feet to Reference Point "I" at station 1096+43.00; thence South 89°57'23" West, a distance of 81.50 feet to the POINT OF BEGINNING; thence South 00°02'37" East, a distance of 6.00 feet; thence South 89°57'23" West, a distance of 65.00 feet; thence North 00°02'37" West, a distance of 12.00 feet; thence North 89°57'23" East, a distance of 65.00 feet; thence South 00°02'37" East, a distance of 6.00 feet to the POINT OF BEGINNING.

AND

Less-out No. 4:

Commence at Reference Point "I"; thence South 89°57'23" West, a distance of 22.50 feet to the POINT OF BEGINNING; thence North 00°02'37" West, a distance of 6.00 feet; thence North 89°57'23" East, a distance of 45.00 feet; thence South 00°02'37" East, a distance of 12.00 feet; thence South 89°57'23" West, a distance of 45.00 feet; thence North 00°02'37" West, a distance of 6.00 feet to the POINT OF BEGINNING.

AND

Less-out No. 5:

Commence at Reference Point "I"; thence continue along said Baseline of Survey, North 00°28'47" West, a distance of 71.34 feet to point of curvature of a curve concave Easterly, having a chord bearing of North 00°22'20" West and a radius of 7,639.44 feet; thence Northerly along said Baseline of Survey and said curve, through a central angle

Less-out No. 6:

Commence at Reference Point "J"; thence North $89^{\circ}49'45''$ West, a distance of 22.50 feet to the POINT OF BEGINNING; thence North $00^{\circ}10'15''$ East, a distance of 6.00 feet; thence South $89^{\circ}49'45''$ East, a distance of 45.00 feet; thence South $00^{\circ}10'15''$ West, a distance of 12.00 feet; thence North $89^{\circ}49'45''$ West, a distance of 45.00 feet; thence North $00^{\circ}10'15''$ East, a distance of 6.00 feet to the POINT OF BEGINNING.

AND

Less-out No. 7:

Commence at Reference Point "J", said point being on a curve concave Easterly, having a chord bearing of North $00^{\circ}06'37''$ East and a radius of 7,639.44 feet; thence Northerly along said Baseline of Survey and said curve, through a central angle of $00^{\circ}45'00''$, an arc distance of 100.00 feet to Reference Point "K" at station 1098+43.00; thence North $89^{\circ}04'45''$ West, a distance of 81.50 feet to the POINT OF BEGINNING; thence South $00^{\circ}55'15''$ West, a distance of 6.00 feet; thence North $89^{\circ}04'45''$ West, a distance of 45.00 feet; thence North $00^{\circ}55'15''$ East, a distance of 12.00 feet; thence South $89^{\circ}04'45''$ East, a distance of 45.00 feet; thence South $00^{\circ}55'15''$ West, a distance of 6.00 feet to the POINT OF BEGINNING.

AND

Less-out No. 8:

Commence at Reference Point "K"; thence North $89^{\circ}04'45''$ West, a distance of 22.50 feet to the POINT OF BEGINNING; thence North $00^{\circ}55'15''$ East, a distance of 6.00 feet; thence South $89^{\circ}04'45''$ East, a distance of 45.00 feet; thence South $00^{\circ}55'15''$ West, a distance of 12.00 feet; thence North $89^{\circ}04'45''$ West, a distance of 45.00 feet; thence North $00^{\circ}55'15''$ East, a distance of 6.00 feet to the POINT OF BEGINNING.

AND

Less-out No. 9:

Commence at Reference Point "K"; thence South $89^{\circ}04'45''$ East, a distance of 79.00 feet to the POINT OF BEGINNING; thence North $00^{\circ}55'15''$ East, a distance of 6.00 feet; thence South $89^{\circ}04'45''$ East, a distance of 12.00 feet; thence South $00^{\circ}55'15''$ West, a distance of 12.00 feet; thence

TO HAVE AND TO HOLD the same unto said grantee, its successors and assigns forever, together with immunity unto the said grantee, its successors and assigns from all claims for damage, if any, arising from or growing out of such construction and/or maintenance to the lands, if any, owned by the grantor, lying adjacent or contiguous to the lands herein above described and the grantor will defend the title to said lands against all persons claiming by, through or under said grantor.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name by the Chairperson or Vice-Chairperson of said Board, the day and year aforesaid.

Attest: _____

Print Name: _____

Its _____ Secretary

THE SCHOOL BOARD OF
PALM BEACH COUNTY, FLORIDA

By: _____

Print Name: _____

Its Chairperson
(or Vice-Chairperson)

Signed, sealed and delivered in the presence of: (Two witnesses required by Florida Law)

Print Name: _____

Print Name: _____

**Approved As To Form
And Legal Sufficiency**
Blair Lewis 9/21/06

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 200____, by _____, Chairperson or Vice-chairperson and _____, its _____ Secretary, on behalf of THE SCHOOL BOARD OF

PE.18-10/91

This instrument prepared under the direction of: Laurice C. Mayes, Esq. Legal description prepared by: Diana Helmer (06-07-06) Department of Transportation 3400 W. Commercial Boulevard Ft. Lauderdale, Florida 33309

Parcel No. 802.1R(06-07-06) Item/Segment No. 2319181 Section No. 93220-2480 Managing District: 04 S.R. No. 9 (I-95) County: Palm Beach

R E S O L U T I O N

ON MOTION of _____, seconded by _____, the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 9 (I-95), Item/Segment No. 2319181, Section No. 93220-2480, in Palm Beach County, Florida: and

WHEREAS, it is necessary that an easement across certain lands now owned by The School Board of Palm Beach County, Florida, be acquired by the State of Florida Department of Transportation: and

WHEREAS, said use is in the best interest of the School Board: and

WHEREAS, the State of Florida Department of Transportation has made application to said School Board to execute and deliver to the State of Florida Department of Transportation a perpetual easement for drainage, access, construction, relocation, and maintenance purposes. More specifically, said perpetual easement will include a perpetual right to the use of the surface area for the collection and distribution of drainage water and to do any ditching or piping necessary to carry out this work; also, a perpetual right to enter upon said lands for the purpose of constructing, inspecting, protecting and maintaining the drainage and highway structures and to perform any and all things necessary for the continued and uninterrupted use of same for highway purposes in favor of the State of Florida Department of Transportation, and said request having been duly considered.

The School Board of Palm Beach County, Florida reserves the right to use the property for its own drainage purposes and at its own expense, provided such use does not interfere with the Florida Department of Transportation's drainage plan, requirements, or use.

NOW THEREFORE, BE IT RESOLVED by The School Board of Palm Beach County, Florida, that the application of the State of Florida Department of Transportation for a perpetual easement, or easements, is for transportation purposes which are in the public or community

STATE OF FLORIDA

COUNTY OF PALM BEACH

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution adopted by The School Board of Palm Beach County, Florida, at a meeting held on the _____ day of _____, 200____.

**Approved As To Form
And Legal Sufficiency**
Blair Lewis 9/21/06

Print Name: _____
Its Chairperson
(or Vice-Chairperson)

The School Board of Palm Beach
County, Florida