

## SUBAREA AND SQUARE FOOTAGE FOR BUILDING 0

|                                  |                                       |
|----------------------------------|---------------------------------------|
| Total Number of Units Per Parcel | 0                                     |
| Total Square Feet*               | 0                                     |
| Acres <sup>①</sup>               | 7.75                                  |
| Property Use Code                | 8900—MUNICIPAL                        |
| Zoning                           | REC—REC RECREATION (08-BOYNTON BEACH) |

**Request Structural Details Change**

\*May indicate living area in residential properties.

Return to:

City of Boynton Beach ✓

P.O. Box 310

Boynton Beach, FL 33425

Prepared by:

Donise Edwards Brown, Attorney

Florida Power & Light Company

11770 U.S. Highway One

North Palm Beach, FL 33408

Folio No. \_\_\_\_\_

JAN-21-1997 8:41am 97-021078

ORB 9619 Pg 1068

Can 10.00 Doc .70

### SPECIAL WARRANTY DEED AND EASEMENT RESERVATION

THIS SPECIAL WARRANTY DEED made on the 17th day of December, 1996, by and between FLORIDA POWER & LIGHT COMPANY, a Florida corporation, having its mailing address at P.O. Box 14000, Juno Beach, Florida 33408-0420, Attn: Property Tax Department, hereinafter referred to as "Grantor" and THE CITY OF BOYNTON BEACH, a Florida municipal corporation having its mailing address at P.O. Box 310, Boynton Beach,

Florida 33425-0310, hereinafter referred to as "Grantee."

**WITNESSETH:**

Grantor, in consideration of Ten Dollars and No Cents (\$10.00) and other good and valuable consideration, to it paid by Grantee, the receipt of which is hereby acknowledged, hereby grants, sells and conveys to Grantee, its successors and assigns forever all of that certain land situated and located in Palm Beach County, Florida and more particularly described as follows:

Special Warranty Deed

Page 1 of 5

(JRB) 9619 Pg 1069

See Exhibit "A" attached hereto and by this reference made a part hereof for the description of the land conveyed hereby.

Subject to taxes and special assessments for the year and all subsequent years, to zoning restrictions and other requirements imposed by governmental authority, and to easements, conditions, reservations, restrictions and limitations of record.

Reserving, however, unto the Grantor, its successors and assigns, an easement forever, as more particularly described in Exhibit "B" attached hereto and by this reference made a part hereof, in, over, under, upon and across the land for the construction, operation and maintenance of one or more overhead and underground electric transmission and distribution lines and other electric utility facilities (including wires, poles, H frame structures, guys, cables, conduits, telephone and telegraph lines, transformer enclosures, and appurtenant equipment) now existing

or to be installed from time to time; with the right to reconstruct, improve, add to, change the size of, or remove such facilities or any of them; to permit any other person, firm or corporation to install equipment on the ground, attach conduits, wires, or cables and to operate the same for communication purposes, the right to use one or more roads or other access upon or across said land, the right of ingress and egress over adjoining lands of Grantee for the purpose of exercising the easement rights hereby reserved, also, to cut, trim, remove and keep clear all trees, brush, undergrowth and other obstructions that might endanger or interfere with said facilities, including but not limited to buildings, structures, wells, irrigation systems or other improvements. Grantee's use of the easement shall limited to a nature preserve, walking/biking trail, parking or similar use.

Special Warranty Deed

Page 2 of 5

088 9619 P3 1070

Grantee shall not place or allow to be placed any building, fencing or other permanent structure within the easement.

By acceptance thereof, the Grantee acknowledges that the above-described real property conveyed hereby is adjacent to real and personal property owned by Grantor and used by it as a public utility corporation of the State of Florida, and Grantee accepts the conveyance of the above-described property with this full knowledge and subject to the use of the Grantor's adjacent land and personal property for such purposes or any other legally authorized use.

The Grantor hereby binds itself and its successors to warrant the title as against all acts of the Grantor herein and no other, subject only to the matters set forth above.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed by its duly authorized officer on the date first above written.

Executed in the presence of:

Ashtie Green Steake

Signature:

ASATIE O'BRIEN LETMKE

Name (Print):

Donna M Rodebaugh

Signature:

Donna M. Rodebaugh

Name (Print):

FLORIDA POWER & LIGHT COMPANY

By:

Name: John M. Chism

Title: Director, Land Management

Address: & Assistant Secretary,

Florida Power & Light Co.

P.O. Box 14000

Juno Beach, FL 33408-0420

[SIGNATURE AND ACKNOWLEDGEMENT CONTINUED ON NEXT PAGE]

Special Warranty Deed

Page 3 of 5

088 9619 Pg 1071

STATE OF FLORIDA )  
 )ss:  
COUNTY OF PALM BEACH )

On this 17th day of December, 1996 before me, the undersigned notary public, personally appeared John M. Chism, Dir. Land Mgmt. & Asst. Sec. (title) of Florida Power & Light Company, a Florida corporation, personally known to me to be the person who subscribed to the foregoing instrument or who has produced \_\_\_\_\_ as identification, and acknowledged that he/she executed the same on behalf of said corporation and that he/she was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Donna M Rodebaugh  
NOTARY PUBLIC, STATE OF FLORIDA

Official Notary Seal  
Name (Print): DONNA M RODEBAUGH  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC334809  
Commission Expires OCT 24, 1997

My Commission Expires:

Executed in the presence of:

Suzanne M. Kruse  
Signature:  
SUZANNE M KRUSE  
Name (Print):

Rosemarie Lamanna  
Signature:  
Rose Marie Lamanna  
Name (Print):

THE CITY OF BOYNTON BEACH

By: M. Gerald Taylor  
Name: GERALD TAYLOR  
Title: MAYOR  
Address: P.O. Box 310  
BOYNTON BEACH FL 33425

APPROVED AS TO FORM:

M. J. Pardo  
CITY ATTORNEY

[ACKNOWLEDGEMENT CONTINUES ON NEXT PAGE]

Special Warranty Deed

Page 4 of 5

RRR 9619 Pg 1072

### ACKNOWLEDGEMENT

STATE OF FLORIDA )  
 )ss:  
COUNTY OF PALM BEACH )

On this 14 day of NOVEMBER, 1996 before me, the undersigned notary public, personally appeared GERALD TAYLOR MAYOR (title) of The City of Boynton Beach, a Florida municipal corporation, personally known to me to be the person who subscribed to the foregoing instrument or who has produced PERSONALLY KNOWN as identification, and acknowledged that he/she executed the same on behalf of said corporation and that he/she was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Suzanne M. Kruse  
NOTARY PUBLIC, STATE OF FLORIDA

SUZANNE H. KRUSE  
Name (Print):

Commission No.: \_\_\_\_\_

My Commission Expires:



SUZANNE H. KRUSE  
MY COMMISSION # 00253330 EXPIRES  
January 2, 1997  
DONOR: PAM TROY FARRIS JAVANE INC.

golawd fm (120)  
DEB:go 10/4/96

Special Warranty Deed

Page 5 of 5

EXHIBIT "A"  
TO SPECIAL WARRANTY DEED AND EASEMENT RESERVATION

LEGAL DESCRIPTION  
TRACT #2 Q88 9619 Pg 1073

DESCRIPTION OF A TRACT OF LAND LOCATED IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA, SAID TRACT BEING A PORTION OF PARCEL "A" AS SHOWN ON THE PLAT OF "GOLF VIEW HARBOR, 1st SECTION", RECORDED IN PLAT BOOK 26, PAGE 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL "A", SAID POINT LOCATED AT THE POINT FORMED BY THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF S.W. 23rd AVENUE (80 FEET WIDE AS NOW LAID OUT AND IN USE) AND THE EAST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-4 CANAL (155 FEET WIDE); THENCE FROM SAID POINT RUN SOUTH 08°22'52" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-4 CANAL, A DISTANCE OF 438.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 08°22'52" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1253.35 FEET; THENCE SOUTH 00°33'18" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 480.81 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE S.C.L. RAILROAD (FORMERLY SEABOARD AIRLINE RAILROAD); THENCE NORTH 18°05'29" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1466.70 FEET; THENCE NORTH 01°27'34" WEST, A DISTANCE OF 150.22 FEET; THENCE NORTH 57°11'26" WEST, A DISTANCE OF 325.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.685 ACRES MORE OR LESS.

BEARINGS ARE BASED ON THE PLAT OF "GOLF VIEW HARBOR, 1st SECTION",  
THE SOUTH RIGHT-OF-WAY LINE OF S.W. 23rd AVENUE BEARING SOUTH  
87°38'24" WEST.

NOT A CERTIFIED COPY

A-2 FPL 4

EXHIBIT "B"  
TO SPECIAL WARRANTY DEED AND EASEMENT RESERVATION

LEGAL DESCRIPTION ONE 9619 Pg 1074  
125' FP&L EASEMENT DOROTHY H. WILKEN, CLERK PB COUNTY, FL

DESCRIPTION OF A TRACT OF LAND LOCATED IN SECTION 32, TOWNSHIP 45  
SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY,  
FLORIDA, SAID TRACT BEING A PORTION OF PARCEL "A" AS SHOWN ON THE  
PLAT OF "GOLF VIEW HARBOR, 1st SECTION", RECORDED IN PLAT BOOK 26,  
PAGE 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL "A", SAID POINT  
LOCATED AT THE POINT FORMED BY THE INTERSECTION OF THE SOUTH RIGHT-  
OF-WAY LINE OF S.W. 23rd AVENUE (80 FEET WIDE AS NOW LAID OUT AND IN  
USE) AND THE EAST RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE  
DISTRICT E-4 CANAL (155 FEET WIDE); THENCE FROM SAID POINT RUN  
SOUTH 08°22'52" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF THE LAKE  
WORTH DRAINAGE DISTRICT E-4 CANAL, A DISTANCE OF 1691.45 FEET;  
THENCE SOUTH 00°33'18" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A  
DISTANCE OF 89.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE  
SOUTH 00°33'18" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE  
OF 390.96 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE  
S.C.L. RAILROAD (FORMERLY SEABOARD AIRLINE RAILROAD); THENCE NORTH  
18°05'29" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF  
1466.70 FEET; THENCE NORTH 01°27'34" WEST, A DISTANCE OF 150.22  
FEET; THENCE NORTH 57°11'26" WEST, A DISTANCE OF 77.27 FEET; THENCE  
SOUTH 18°05'29" WEST, A DISTANCE OF 1257.45 FEET TO THE POINT OF  
BEGINNING.

CONTAINING 4.019 ACRES MORE OR LESS.

BEARINGS ARE BASED ON THE PLAT OF "GOLF VIEW HARBOR, 1st SECTION",  
THE SOUTH RIGHT-OF-WAY LINE OF S.W. 23rd AVENUE BEARING SOUTH  
87°38'24" WEST.

NOT A CERTIFIED COPY