

HB 1531

2006
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CHAMBER ACTION

1 The Local Government Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the West Palm Beach Water Catchment
7 Area, Palm Beach County; amending chapter 67-2169, Laws of
8 Florida, as amended; revising the legal description of the
9 water catchment area; authorizing the licensing or
10 permitting of certain uses within the water catchment
11 area; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Sections 1 and 2 of chapter 67-2169, Laws of
16 Florida, as amended, are amended to read:

17 Section 1. West Palm Beach Water Catchment area
18 described.--The following described lands in Palm Beach County,
19 Florida, owned by the City of West Palm Beach, Florida, form the
20 West Palm Beach water catchment area, to wit:

21
22 PARCEL ONE.
23

HB 1531

2006
CS

24 The South four hundred fifty feet (450') of the
25 Southwest quarter (SW 1/4) of Section one (1) in
26 Township forty-three South (43 S), Range forty-two
27 East (42 E), except right-of-way of Military Trail and
28 Haverhill Road.

PARCEL TWO.

31
32 The South four hundred fifty feet (450') of the
33 Southeast quarter (SE 1/4) and the entire Southwest
34 quarter (SW 1/4) of Section two (2) of Township forty-
35 three South (43 S), Range forty-two East (42 E),
36 except right-of-way for Haverhill Road subject,
37 however, to that certain easement from Model Land
38 Company to Florida Power and Light Company dated
39 September 16, 1931, to construct and operate power
40 lines on the East side of said property.

41
42 Said PARCEL TWO being also subject to 160 ft. width
43 electric power and communication line easement as
44 granted by West Palm Beach Water Company unto Florida
45 Power and Light company by right-of-way agreement
46 dated June 23, 1953, recorded in Deed Book 1023, page
47 680, Palm Beach County Public Records. (Less Right-of-
48 Way of Haverhill Road.)

PARCEL THREE.

51

HB 1531

2006
CS

52 The South half (S 1/2) of Section three (3), Township
53 forty-three South (43 S), Range forty-two East (42 E).

54
55 Less and except Jog Road extension described as
56 follows:

57
58 A parcel of land in Section three (3), Township forty-
59 three South (43 S), Range forty-two East (42 E), Palm
60 Beach County, Florida, more particularly described as
61 follows: Commence at the southeast corner of said
62 Section three (3); thence along the south line of said
63 Section three (3), N 88°43'44" W for 302.06 feet to
64 the West right-of-way line of Florida's Turnpike,
65 recorded in Circuit Court Minutes Book 68, page 204,
66 of the public records of Palm Beach County, Florida;
67 thence along said right-of-way line, N 01°54'17" E for
68 2,188.38 feet to the point of curvature of a curve
69 concave to the east, having a radius of 43,121.85
70 feet; thence northerly, along said curve and right-of-
71 way line to the right, through a central angle of
72 0°39'37" for 496.98 feet to the north line of the
73 South half (S 1/2) of said Section three (3); thence
74 along said north line, N 88°33'32" W for 215.90 feet
75 to a non-tangent curve, concave to the west, having a
76 radius of 885.00 feet, where a radial line bears S
77 71°58'11" W; thence southerly, along said curve to the
78 right, through a central angle of 19°56'06" for 307.92
79 feet to a point of tangency; thence S 01°54'17" W for

Page 3 of 13

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1531-01-c1

HB 1531

2006
CS

80 | 2,383.63 feet to the said south line of Section three
 81 | (3); thence along said south line, S 88°43'44" E for
 82 | 160.01 feet to the Point of Beginning.

83 |
 84 | PARCEL FOUR.
 85 |

86 | The North four hundred fifty feet (450') of Section
 87 | eleven (11), Township forty-three 43 South (43 S),
 88 | Range forty-two 42 East (42 E), except right-of-way
 89 | for Haverhill Road.

90 |
 91 | PARCEL FIVE.
 92 |

93 | The North four hundred fifty feet (450') of Northwest
 94 | quarter (NW 1/4) of Section twelve (12), Township
 95 | forty-three South (43 S), Range forty-two East (42 E),
 96 | as conveyed to West Palm Beach Water Company by Model
 97 | Land Company's two deeds of July 12, 1944, recorded in
 98 | Deed Book 694, page 317, and Deed Book 694, page 319,
 99 | subject to right-of-way of Military Trail. (Less
 100 | Right-of-Way of Haverhill Road.)

101 |
 102 | Subject also to easement from Model Land Company to
 103 | Florida Power and Light Company dated September 16,
 104 | 1931, to construct and operate power lines on west
 105 | side of said North half (N 1/2) of Northwest quarter
 106 | (NW 1/4) of said Section twelve (12). 12;
 107 |

108 PARCEL SIX.

109
110 The North half (N 1/2) One-Half of the North half (N
111 1/2) One-Half of the Northwest quarter (NW 1/4) One-
112 Quarter of the Northeast quarter (NE 1/4) One-Quarter,
113 Section ten (10), Township forty-three South (43 S),
114 Range forty-two East (42 E).

115
116 PARCEL SEVEN.

117
118 All of Section seventeen (17) lying South of Seaboard
119 Air Line Railway, all of Sections eighteen (18),
120 nineteen (19) and twenty (20), all of Section twenty-
121 one (21) south of Seaboard Air Line Railway; all of
122 Sections twenty-eight (28), twenty-nine (29), thirty
123 (30), thirty-one (31), thirty-two (32) and thirty-
124 three (33), all being in Township forty-two (42) South
125 (42 S), Range forty-two East (42 E).

126
127 PARCEL EIGHT.

128
129 That part of South one-half (S 1/2) of Section sixteen
130 (16), Township forty-two (T 42) South (42 S), Range
131 forty-two (R 42) East (42 E), lying south and west of
132 right-of-way of Florida Western and Northern Railroad
133 Company as described in Deed Book 225, Page 160, of
134 Palm Beach County public records, now owned by
135 Seaboard Air Line Railroad Company.

HB 1531

2006
CS

136
137 Said PARCELS SEVEN and EIGHT being subject to easement
138 of Palm Beach County, Florida, for public road known
139 as Lake Park Road across said sections 16-17-18-19-20-
140 21.

141
142 Said Sections 17-18 in said PARCEL SEVEN being also
143 subject to agreement between West Palm Beach Water
144 Company and Palm Beach County by Deed of February 26,
145 1951, recorded in Deed Book 936, page 151, permitting
146 removal by said County of shell not exceeding 15 ft.
147 in depth by the present level of water from said land.

148
149 Part of said Section thirty-two (32) 32 of Township 42
150 South (42 S), Range 42 East (42 E) in said PARCEL
151 SEVEN being subject to an estate, for its his natural
152 life, in Ike Lee, with remainder to Model Land
153 Company, its successors and assigns, as described in
154 Indenture of August 21, 1942, between J.C. Bills, Jr.,
155 et als, parties of the first part, Ike Lee, party of
156 the second part, and Model Land Company, party of the
157 third part, recorded Deed Book 656, page 102, Public
158 Records, Palm Beach County, Florida.

159
160 PARCEL NINE.

161
162 All of Sections four (4), five (5), six (6), seven
163 (7), eight (8), nine (9), seventeen (17) and eighteen

HB 1531

2006
CS

164 (18), all being in Township forty-three (43) South (43
 165 S), Range forty-two (42) East (42 E).

167 PARCEL TEN.

169 All of the following described lands:

171 Starting at the southeast corner of Section 4, T 43 S,
 172 R 40 E, proceed westerly a distance of 329.57' more or
 173 less to the point of beginning, said point being on
 174 the north R/W line of the Central and Southern Florida
 175 Flood Control District L-8 tie back canal. From said
 176 point of beginning, proceed westerly a distance of
 177 170.42' more or less to a point; thence proceed N 00°
 178 05' 50" a distance of 339.29' more or less to a point;
 179 thence proceed easterly a distance of 170' more or
 180 less to a point; thence proceed N 00° 05' E a distance
 181 of 1,203.89', more or less to a point; thence N 45° E
 182 a distance of 467.50' more or less to a point on the
 183 east line of Section 4, T 43 S, R 40 E; thence S 00°
 184 05' W a distance of 354.16' more or less to a point;
 185 thence S 45° 00' W a distance of 113.34' to a point;
 186 thence S 00° 05' W a distance of 1,190.74' more or
 187 less to a point on the North R/W line of the Central
 188 and Southern Florida Flood Control District L-8 tie
 189 back canal; thence S 45° 08' 50" E a distance of
 190 352.64' to the point of beginning; all the above

HB 1531

2006
CS

191 | described lands lying in section 4, T 43 S, R 40 E and
192 | containing 10.83 acres, more or less.

193 |
194 | Starting at the southwest corner of Section 3, T 43 S, R 40 E
195 | proceed N 00° 05' E a distance of 1,430.16'
196 | more or less to the point of beginning. From said
197 | point of beginning proceed N 00° 05' E a distance of
198 | 354.16' more or less to a point; thence N 45° 00' E a
199 | distance of 3,550.36' more or less, to a point on the
200 | north line of Section 3, T 43 S, R 40 E; thence S 87°
201 | 46' E a distance of 340.54' more or less to a point;
202 | thence S 45° 00' W a distance of 4,032.32' more or
203 | less to the point of beginning. All of the above
204 | described lands lie in Section 3, T 43 S, R 40 E and
205 | contain 21.75 acres, more or less.

206 |
207 | Starting at the southeast corner of Section 34, T 42
208 | S, R 40 E proceed northerly a distance of 80' more or
209 | less to the point of beginning; thence N 87° 46' W a
210 | distance of 2,802.44' more or less, to a point; thence
211 | S 45° 00' W a distance of 108.97', more or less to a
212 | point on the south line of Section 34, T 42 S, R 40 E;
213 | thence N 87° 46' W a distance of 340.54' more or less,
214 | to a point; thence N 45° 00' E a distance of 449.51'
215 | more or less to a point; thence S 87° 46' E a distance
216 | of 2,902.00' more or less to a point; thence southerly
217 | a distance of 250.19' more or less to the point of
218 | beginning; said described lands containing 18.52 acres

HB 1531

2006
CS

219 | more or less and lie wholly in Section 34, T 42 S, R
220 | 40 E.

221 |
222 | Starting at the southwest corner of Section 35, T 42
223 | S, R 40 E proceed northerly a distance of 80' more or
224 | less, to the point of beginning; thence proceed
225 | northerly a distance of 250' more or less to a point;
226 | thence proceed S 87° 46' E a distance of 5,262.93'
227 | more or less to a point; thence N 88° 37' E a distance
228 | of 12.87' more or less to a point; thence proceed
229 | southerly a distance of 250' more or less to a point;
230 | thence proceed S 88° 37' W a distance of 3.12' more or
231 | less to a point; thence proceed N 87° 46' W a distance
232 | of 5,272.68' more or less to the point of beginning;
233 | all above described lands lying in Section 35, T 42 S,
234 | R 40 E and containing 30.2 acres, more or less.

235 |
236 | Starting at the southwest corner of Section 36, T 42
237 | S, R 40 E, proceed northerly a distance of 80' more or
238 | less to the point of beginning; thence proceed
239 | northerly a distance of 250' more or less to a point;
240 | thence proceed N 88° 37' E a distance of 5,287.66'
241 | more or less to the southwest corner of Section 31, T
242 | 42 S, R 41 E; thence proceed S 1° 41' W a distance of
243 | 250.11' more or less, to a point; thence proceed S 88°
244 | 37' W a distance of 5,281.62' more or less to the
245 | point of beginning; the above described lands lying in

HB 1531

2006
CS

246 Section 36, T 42 S, R 40 E and containing 30.3 acres,
247 more or less.

248
249 Less and except that portion of Sections 35 and 36,
250 Township 42 South, Range 40 East, as described above,
251 that lie North of the following described line:

252
253 Commencing at the northwest corner of said Section 35;
254 thence S 00 05' 34" E, along the West line of said
255 Section 35, 5,205.17 feet to a point lying 82.04 feet
256 north of (as measured along said West line) the "Royal
257 Palm Beach Colony" south line of said Section 35 and
258 the Point of Beginning of the herein described line;
259 thence S 87 38' 00" E, 983.00 feet; thence S 87 51'
260 58" E, 3,082.46 feet; thence S 87 57' 41" E, 1,210.03
261 feet; thence N 88 43' 01" E, 7.93 feet to a point on
262 the East line of said Section 35, said point lying
263 57.90 feet north of (as measured along said East line)
264 the said south line of Section 35 also being the West
265 line of Section 36; thence continue N 88 43' 01" E,
266 779.85 feet; thence S 89 29' 30" E, 525.09 feet;
267 thence S 89 07' 06" E, 283.89 feet; thence N 88 39'
268 13" E, 2,494.69 feet; thence N 88 29' 15" E, 1,207.18
269 feet to a point on the East line of said Section 36,
270 said point lying 336.46 feet north of (as measured
271 along said East line) the said "Royal Palm Beach
272 Colony" south line of Section 36 and the Point of
273 Termination of the herein described line.

HB 1531

2006
CS

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Said Sections are as shown on the M Canal R/W Map as recorded in Road Plat Book 6, pages 136-141, Public Records of Palm Beach County, Florida.

The north 250' of Section 6, T 43 S, R 41 E.

The north 250' of Section 5, T 43 S, R 41 E.

Beginning at the southwest corner of Section 33, T 42 S, R 41 E proceed N 59° 47' E a distance of 660' more or less to a point; thence N 89° 47' E a distance of 4,720.0' more or less to a point on the east line of said Section 33, said point being 330' more or less to a point northerly from the southeast corner of said section 33. From the above described point proceed southerly a distance of 250' more or less to a point; thence proceed S 89° 47' W a distance of 4,490.16' more or less to a point; thence S 59° 47' W a distance of 160' more or less to a point on the south line of Section 33, T 42 S, R 41 E; thence S 89° 47' W a distance of 661.58' more or less to the point of beginning; all above described land lying in Section 33, T 42 S, R 41 E, containing 29.5 acres, more or less.

Beginning at the northwest corner of Section 4, T 43 S, R 41 E proceed N 89° 47' E a distance of 661.58'

HB 1531

2006
CS

302 more or less to a point; thence S 59° 47' W a distance
 303 of 500' more or less to a point; thence S 89° 47' W a
 304 distance of 229.51' more or less to a point on the
 305 west line of said Section 4; thence northerly a
 306 distance of 250' more or less to the point of
 307 beginning; all above described land lying in Section
 308 4, T 43 S, R 41 E, containing 2.57 acres more or less.
 309 The south 330' of Section 34, T 42 S, R 41 E less the
 310 south 80' thereof, containing 30.36 acres, more or
 311 less.

312
 313 The south 330' of Section 35, T 42 S, R 41 E less the
 314 south 80' thereof, containing 30.36 acres, more or
 315 less.

316
 317 The south 330' of Section 36, T 42 S, R 41 E less the
 318 south 80' thereof, containing 30.36 acres, more or
 319 less (less R/W of State Road 7).

320
 321 Section 2. Uses.--It shall be mandatory that the City of
 322 West Palm Beach retain in perpetuity full ownership and control
 323 and shall not lease or grant any license for any part of the
 324 water catchment area which is inconsistent with water supply,
 325 environmental, educational, or conservation purposes, including,
 326 but not limited to, environmental mitigation. No use of the
 327 water catchment area shall be made by the city which is
 328 inconsistent with water supply, environmental, educational, or
 329 conservation purposes, which purposes include, but are not

HB 1531

2006
CS

330 | limited to, environmental mitigation purposes. The City of West
331 | Palm Beach may grant licenses permitting the construction,
332 | installation, maintenance, and removal of crossings above,
333 | below, and across the M-Canal by water, wastewater, gas, or
334 | other utility pipes and electric or other utility lines and for
335 | the construction, expansion, extension, relocation, and
336 | maintenance of government roadways across the M-Canal, provided
337 | such crossings are not inconsistent with the uses established in
338 | this section and such crossings are not inconsistent with this
339 | act or applicable laws and regulations governing Class I potable
340 | water supplies and the water catchment area.

341 | Section 2. This act shall take effect upon becoming a law.