

ENROLLED  
 HB 1531, Engrossed 1

2006 Legislature

1                                   A bill to be entitled  
 2           An act relating to the West Palm Beach Water Catchment  
 3           Area, Palm Beach County; amending chapter 67-2169, Laws of  
 4           Florida, as amended; revising the legal description of the  
 5           water catchment area; authorizing the licensing or  
 6           permitting of certain uses within the water catchment  
 7           area; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Sections 1 and 2 of chapter 67-2169, Laws of  
 12           Florida, as amended, are amended to read:

13           Section 1. West Palm Beach Water Catchment area  
 14           described.--The following described lands in Palm Beach County,  
 15           Florida, owned by the City of West Palm Beach, Florida, form the  
 16           West Palm Beach water catchment area, to wit:

17  
 18                                   PARCEL ONE.

19  
 20           The South four hundred fifty feet (450') of the  
 21           Southwest quarter (SW 1/4) of Section one (1) in  
 22           Township forty-three South (43 S)    Range forty-two  
 23           East (42 E), except right-of-way of Military Trail and  
 24           Haverhill Road.

25  
 26                                   PARCEL TWO.

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

37  
38 Said PARCEL TWO being also subject to 160 ft. width  
39 electric power and communication line easement as  
40 granted by West Palm Beach Water Company unto Florida  
41 Power and Light company by right-of-way agreement  
42 dated June 23, 1953, recorded in Deed Book 1023, page  
43 680, Palm Beach County Public Records. (Less Right-of-  
44 Way of Haverhill Road.)

## PARCEL THREE.

47  
48 The South half (S 1/2) of Section three (3), Township  
49 forty-three South (43 S), Range forty-two East (42 E).

50  
51 Less and except Jog Road extension described as  
52 follows:  
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54 A parcel of land in Section three (3), Township forty-  
 55 three South (43 S), Range forty-two East (42 E), Palm  
 56 Beach County, Florida, more particularly described as  
 57 follows: Commence at the southeast corner of said  
 58 Section three (3); thence along the south line of said  
 59 Section three (3), N 88°43'44" W for 302.06 feet to  
 60 the West right-of-way line of Florida's Turnpike,  
 61 recorded in Circuit Court Minutes Book 68, page 204,  
 62 of the public records of Palm Beach County, Florida;  
 63 thence along said right-of-way line, N 01°54'17" E for  
 64 2,188.38 feet to the point of curvature of a curve  
 65 concave to the east, having a radius of 43,121.85  
 66 feet; thence northerly, along said curve and right-of-  
 67 way line to the right, through a central angle of  
 68 0°39'37" for 496.98 feet to the north line of the  
 69 South half (S 1/2) of said Section three (3); thence  
 70 along said north line, N 88°33'32" W for 215.90 feet  
 71 to a non-tangent curve, concave to the west, having a  
 72 radius of 885.00 feet, where a radial line bears S  
 73 71°58'11" W; thence southerly, along said curve to the  
 74 right, through a central angle of 19°56'06" for 307.92  
 75 feet to a point of tangency; thence S 01°54'17" W for  
 76 2,383.63 feet to the said south line of Section three  
 77 (3); thence along said south line, S 88°43'44" E for  
 78 160.01 feet to the Point of Beginning.

80 PARCEL FOUR.

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

## PARCEL FIVE.

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

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

## PARCEL SIX.

The North half (N 1/2) One-Half of the North half (N 1/2) One-Half of the Northwest quarter (NW 1/4) One-

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108 Quarter of the Northeast quarter (NE 1/4) One-Quarter,  
 109 Section ten (10), Township forty-three South (43 S),  
 110 Range forty-two East (42 E).

111  
 112 PARCEL SEVEN.

113  
 114 All of Section seventeen (17) lying South of Seaboard  
 115 Air Line Railway, all of Sections eighteen (18),  
 116 nineteen (19) and twenty (20), all of Section twenty-  
 117 one (21) south of Seaboard Air Line Railway; all of  
 118 Sections twenty-eight (28), twenty-nine (29), thirty  
 119 (30), thirty-one (31), thirty-two (32) and thirty-  
 120 three (33), all being in Township forty-two (42) South  
 121 (42 S), Range forty-two East (42 E).

122  
 123 PARCEL EIGHT.

124  
 125 That part of South one-half (S 1/2) of Section sixteen  
 126 (16), Township forty-two (T 42) South (42 S), Range  
 127 forty-two (R 42) East (42 E), lying south and west of  
 128 right-of-way of Florida Western and Northern Railroad  
 129 Company as described in Deed Book 225, Page 160, of  
 130 Palm Beach County public records, now owned by  
 131 Seaboard Air Line Railroad Company.

132  
 133 Said PARCELS SEVEN and EIGHT being subject to easement  
 134 of Palm Beach County, Florida, for public road known

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135 as Lake Park Road across said sections 16-17-18-19-20-  
 136 21.

137  
 138 Said Sections 17-18 in said PARCEL SEVEN being also  
 139 subject to agreement between West Palm Beach Water  
 140 Company and Palm Beach County by Deed of February 26,  
 141 1951, recorded in Deed Book 936, page 151, permitting  
 142 removal by said County of shell not exceeding 15 ft.  
 143 in depth by the present level of water from said land.

144  
 145 Part of said Section thirty-two (32) 32 of Township 42  
 146 South (42 S), Range 42 East (42 E) in said PARCEL  
 147 SEVEN being subject to an estate, for its his natural  
 148 life, in Ike Lee, with remainder to Model Land  
 149 Company, its successors and assigns, as described in  
 150 Indenture of August 21, 1942, between J.C. Bills, Jr.,  
 151 et als, parties of the first part, Ike Lee, party of  
 152 the second part, and Model Land Company, party of the  
 153 third part, recorded Deed Book 656, page 102, Public  
 154 Records, Palm Beach County, Florida.

155  
 156 PARCEL NINE.

157  
 158 All of Sections four (4), five (5), six (6), seven  
 159 (7), eight (8), nine (9), seventeen (17) and eighteen  
 160 (18), all being in Township forty-three (43) South (43  
 161 S), Range forty-two (42) East (42 E).

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PARCEL TEN.

All of the following described lands:

Starting at the southeast corner of Section 4, T 43 S, R 40 E, proceed westerly a distance of 329.57' more or less to the point of beginning, said point being on the north R/W line of the Central and Southern Florida Flood Control District L-8 tie back canal. From said point of beginning, proceed westerly a distance of 170.42' more or less to a point; thence proceed N 00° 05' 50" a distance of 339.29' more or less to a point; thence proceed easterly a distance of 170' more or less to a point; thence proceed N 00° 05' E a distance of 1,203.89', more or less to a point; thence N 45° E a distance of 467.50' more or less to a point on the east line of Section 4, T 43 S, R 40 E; thence S 00° 05' W a distance of 354.16' more or less to a point; thence S 45° 00' W a distance of 113.34' to a point; thence S 00° 05' W a distance of 1,190.74' more or less to a point on the North R/W line of the Central and Southern Florida Flood Control District L-8 tie back canal; thence S 45° 08' 50" E a distance of 352.64' to the point of beginning; all the above described lands lying in section 4, T 43 S, R 40 E and containing 10.83 acres, more or less.

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189  
 190 Starting at the southwest corner of Section 3, T 43 S,  
 191 R 40 E proceed N 00° 05' E a distance of 1,430.16'  
 192 more or less to the point of beginning. From said  
 193 point of beginning proceed N 00° 05' E a distance of  
 194 354.16' more or less to a point; thence N 45° 00' E a  
 195 distance of 3,550.36' more or less, to a point on the  
 196 north line of Section 3, T 43 S, R 40 E; thence S 87°  
 197 46' E a distance of 340.54' more or less to a point;  
 198 thence S 45° 00' W a distance of 4,032.32' more or  
 199 less to the point of beginning. All of the above  
 200 described lands lie in Section 3, T 43 S, R 40 E and  
 201 contain 21.75 acres, more or less.

202  
 203 Starting at the southeast corner of Section 34, T 42  
 204 S, R 40 E proceed northerly a distance of 80' more or  
 205 less to the point of beginning; thence N 87° 46' W a  
 206 distance of 2,802.44' more or less, to a point; thence  
 207 S 45° 00' W a distance of 108.97', more or less to a  
 208 point on the south line of Section 34, T 42 S, R 40 E;  
 209 thence N 87° 46' W a distance of 340.54' more or less,  
 210 to a point; thence N 45° 00' E a distance of 449.51'  
 211 more or less to a point; thence S 87° 46' E a distance  
 212 of 2,902.00' more or less to a point; thence southerly  
 213 a distance of 250.19' more or less to the point of  
 214 beginning; said described lands containing 18.52 acres



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215 | more or less and lie wholly in Section 34, T 42 S, R  
 216 | 40 E.

217 |  
 218 | Starting at the southwest corner of Section 35, T 42  
 219 | S, R 40 E proceed northerly a distance of 80' more or  
 220 | less, to the point of beginning; thence proceed  
 221 | northerly a distance of 250' more or less to a point;  
 222 | thence proceed S 87° 46' E a distance of 5,262.93'  
 223 | more or less to a point; thence N 88° 37' E a distance  
 224 | of 12.87' more or less to a point; thence proceed  
 225 | southerly a distance of 250' more or less to a point;  
 226 | thence proceed S 88° 37' W a distance of 3.12' more or  
 227 | less to a point; thence proceed N 87° 46' W a distance  
 228 | of 5,272.68' more or less to the point of beginning;  
 229 | all above described lands lying in Section 35, T 42 S,  
 230 | R 40 E and containing 30.2 acres, more or less.

231 |  
 232 | Starting at the southwest corner of Section 36, T 42  
 233 | S, R 40 E, proceed northerly a distance of 80' more or  
 234 | less to the point of beginning; thence proceed  
 235 | northerly a distance of 250' more or less to a point;  
 236 | thence proceed N 88° 37' E a distance of 5,287.66'  
 237 | more or less to the southwest corner of Section 31, T  
 238 | 42 S, R 41 E; thence proceed S 1° 41' W a distance of  
 239 | 250.11' more or less, to a point; thence proceed S 88°  
 240 | 37' W a distance of 5,281.62' more or less to the  
 241 | point of beginning; the above described lands lying in

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

244

245 Less and except that portion of Sections 35 and 36,  
 246 Township 42 South, Range 40 East, as described above,  
 247 that lie North of the following described line:

248

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

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268 Colony" south line of Section 36 and the Point of  
 269 Termination of the herein described line.

270  
 271 Said Sections are as shown on the M Canal R/W Map as  
 272 recorded in Road Plat Book 6, pages 136-141, Public  
 273 Records of Palm Beach County, Florida.

274  
 275 The north 250' of Section 6, T 43 S, R 41 E.

276  
 277 The north 250' of Section 5, T 43 S, R 41 E.

278  
 279 Beginning at the southwest corner of Section 33, T 42  
 280 S, R 41 E proceed N 59° 47' E a distance of 660' more  
 281 or less to a point; thence N 89° 47' E a distance of  
 282 4,720.0' more or less to a point on the east line of  
 283 said Section 33, said point being 330' more or less to  
 284 a point northerly from the southeast corner of said  
 285 section 33. From the above described point proceed  
 286 southerly a distance of 250' more or less to a point;  
 287 thence proceed S 89° 47' W a distance of 4,490.16'  
 288 more or less to a point; thence S 59° 47' W a distance  
 289 of 160' more or less to a point on the south line of  
 290 Section 33, T 42 S, R 41 E; thence S 89° 47' W a  
 291 distance of 661.58' more or less to the point of  
 292 beginning; all above described land lying in Section  
 293 33, T 42 S, R 41 E, containing 29.5 acres, more or  
 294 less.

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295  
 296 Beginning at the northwest corner of Section 4, T 43  
 297 S, R 41 E proceed N 89° 47' E a distance of 661.58'  
 298 more or less to a point; thence S 59° 47' W a distance  
 299 of 500' more or less to a point; thence S 89° 47' W a  
 300 distance of 229.51' more or less to a point on the  
 301 west line of said Section 4; thence northerly a  
 302 distance of 250' more or less to the point of  
 303 beginning; all above described land lying in Section  
 304 4, T 43 S, R 41 E, containing 2.57 acres more or less.  
 305 The south 330' of Section 34, T 42 S, R 41 E less the  
 306 south 80' thereof, containing 30.36 acres, more or  
 307 less.

308  
 309 The south 330' of Section 35, 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 36, T 42 S, R 41 E less the  
 314 south 80' thereof, containing 30.36 acres, more or  
 315 less (less R/W of State Road 7).

316  
 317 Section 2. Uses.--It shall be mandatory that the City of  
 318 West Palm Beach retain in perpetuity full ownership and control  
 319 and shall not lease or grant any license for any part of the  
 320 water catchment area which is inconsistent with water supply,  
 321 environmental, educational, or conservation purposes, including,

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322 | but not limited to, environmental mitigation. No use of the  
323 | water catchment area shall be made by the city which is  
324 | inconsistent with water supply, environmental, educational, or  
325 | conservation purposes, which purposes include, but are not  
326 | limited to, environmental mitigation purposes. The City of West  
327 | Palm Beach may grant licenses permitting the construction,  
328 | installation, maintenance, and removal of crossings above,  
329 | below, and across the M-Canal by water, wastewater, gas, or  
330 | other utility pipes and electric or other utility lines and for  
331 | the construction, expansion, extension, relocation, and  
332 | maintenance of government roadways across the M-Canal, provided  
333 | such crossings are not inconsistent with the uses established in  
334 | this section and such crossings are not inconsistent with this  
335 | act or applicable laws and regulations governing Class I potable  
336 | water supplies and the water catchment area.

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