

House Bill No. 1531

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

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

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

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

PARCEL ONE.

The South four hundred fifty feet (450') of the Southwest quarter (SW $\frac{1}{4}$) of Section one (1) in Township forty-three South (43 S), Range forty-two East (42 E), except right-of-way of Military Trail and Haverhill Road.

PARCEL TWO.

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

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

PARCEL THREE.

The South half (S $\frac{1}{2}$) of Section three (3), Township forty-three South (43 S), Range forty-two East (42 E).

Less and except Jog Road extension described as follows:

A parcel of land in Section three (3), Township forty-three South (43 S), Range forty-two East (42 E), Palm Beach County, Florida, more particularly described as follows: Commence at the southeast corner of said Section three (3); thence along the south line of said Section three (3), N 88°43'44" W for 302.06 feet to the West right-of-way line of Florida's

Turnpike, recorded in Circuit Court Minutes Book 68, page 204, of the public records of Palm Beach County, Florida; thence along said right-of-way line, N 01°54'17" E for 2,188.38 feet to the point of curvature of a curve concave to the east, having a radius of 43,121.85 feet; thence northerly, along said curve and right-of-way line to the right, through a central angle of 0°39'37" for 496.98 feet to the north line of the South half (S ½) of said Section three (3); thence along said north line, N 88°33'32" W for 215.90 feet to a non-tangent curve, concave to the west, having a radius of 885.00 feet, where a radial line bears S 71°58'11" W; thence southerly, along said curve to the right, through a central angle of 19°56'06" for 307.92 feet to a point of tangency; thence S 01°54'17" W for 2,383.63 feet to the said south line of Section three (3); thence along said south line, S 88°43'44" E for 160.01 feet to the Point of Beginning.

PARCEL FOUR.

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 ¼) 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 ½) of Northwest quarter (NW ¼) of said Section twelve (12). 12;

PARCEL SIX.

The North half (N ½) One-Half of the North half (N ½) One-Half of the Northwest quarter (NW ¼) One-Quarter of the Northeast quarter (NE ¼) One-Quarter, Section ten (10), Township forty-three South (43 S), Range forty-two East (42 E).

PARCEL SEVEN.

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

PARCEL EIGHT.

That part of South one-half (S ½) of Section sixteen (16), Township forty-two (T 42) South (42 S), Range forty-two (R 42) East (42 E), lying south and west of right-of-way of Florida Western and Northern Railroad Com-

pany as described in Deed Book 225, Page 160, of Palm Beach County public records, now owned by Seaboard Air Line Railroad Company.

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

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

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

PARCEL NINE.

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

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.

Starting at the southwest corner of Section 3, T 43 S, R 40 E proceed N 00° 05' E a distance of 1,430.16' more or less to the point of beginning. From said point of beginning proceed N 00° 05' E a distance of 354.16' more or less to a point; thence N 45° 00' E a distance of 3,550.36' more or less, to a point on the north line of Section 3, T 43 S, R 40 E; thence S 87° 46' E a distance of 340.54' more or less to a point; thence S 45° 00'

W a distance of 4,032.32' more or less to the point of beginning. All of the above described lands lie in Section 3, T 43 S, R 40 E and contain 21.75 acres, more or less.

Starting at the southeast corner of Section 34, T 42 S, R 40 E proceed northerly a distance of 80' more or less to the point of beginning; thence N 87° 46' W a distance of 2,802.44' more or less, to a point; thence S 45° 00' W a distance of 108.97', more or less to a point on the south line of Section 34, T 42 S, R 40 E; thence N 87° 46' W a distance of 340.54' more or less, to a point; thence N 45° 00' E a distance of 449.51' more or less to a point; thence S 87° 46' E a distance of 2,902.00' more or less to a point; thence southerly a distance of 250.19' more or less to the point of beginning; said described lands containing 18.52 acres more or less and lie wholly in Section 34, T 42 S, R 40 E.

Starting at the southwest corner of Section 35, T 42 S, R 40 E proceed northerly a distance of 80' more or less, to the point of beginning; thence proceed northerly a distance of 250' more or less to a point; thence proceed S 87° 46' E a distance of 5,262.93' more or less to a point; thence N 88° 37' E a distance of 12.87' more or less to a point; thence proceed southerly a distance of 250' more or less to a point; thence proceed S 88° 37' W a distance of 3.12' more or less to a point; thence proceed N 87° 46' W a distance of 5,272.68' more or less to the point of beginning; all above described lands lying in Section 35, T 42 S, R 40 E and containing 30.2 acres, more or less.

Starting at the southwest corner of Section 36, T 42 S, R 40 E, proceed northerly a distance of 80' more or less to the point of beginning; thence proceed northerly a distance of 250' more or less to a point; thence proceed N 88° 37' E a distance of 5,287.66' more or less to the southwest corner of Section 31, T 42 S, R 41 E; thence proceed S 1° 41' W a distance of 250.11' more or less, to a point; thence proceed S 88° 37' W a distance of 5,281.62' more or less to the point of beginning; the above described lands lying in Section 36, T 42 S, R 40 E and containing 30.3 acres, more or less.

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

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

East line) the said “Royal Palm Beach Colony” south line of Section 36 and the Point of Termination of the herein described line.

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

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

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

Section 2. Uses.—It shall be mandatory that the City of West Palm Beach retain in perpetuity full ownership and control and shall not lease or grant any license for any part of the water catchment area which is inconsistent with water supply, environmental, educational, or conservation purposes, including, but not limited to, environmental mitigation. No use of the water catchment area shall be made by the city which is inconsistent with water supply, environmental, educational, or conservation purposes, which purposes include, but are not limited to, environmental mitigation purposes. The City of West Palm Beach may grant licenses permitting the construction, installation, maintenance, and removal of crossings above, below, and across the M-Canal by water, wastewater, gas, or other utility pipes and electric or other utility lines and for the construction, expansion, extension, relocation, and maintenance of government roadways across the M-Canal, provided such crossings are not inconsistent with the uses established in this section and such crossings are not inconsistent with this act or applicable laws and regulations governing Class I potable water supplies and the water catchment area.

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

Approved by the Governor June 12, 2006.

Filed in Office Secretary of State June 12, 2006.