

**Agenda Item # :**

## **AGENDA ITEM SUMMARY**

**Department:**

**Submitted For:** Right-of-Way Acquisition Section

## I. EXECUTIVE BRIEF

B. Adopt Resolutions declaring the acquisition of property designated as Parcels 3 and 4 as whole-takes in fee simple for the retention pond; Parcels 100, 101, 102, 103, 104, 105, 106, 112, 114, 115, 116, 118, 125, 127, 128, 129, 132, 134, 135, and 136 as partial takes in fee simple for the necessary Right-of-Way; Parcels 203, 205, 216 and 236 as perpetual Embankment Easements; Parcels 237 and 238 as perpetual Drainage Easements; Parcels 300, 301, 302, 304, 305, 306, 312, 314, 315, 318, 325, 327, 328, 329, 332, 334, 335 and 336 as Temporary Construction Easements, necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, to be a public necessity, authorizing the selection of appraisers and filing of Eminent Domain Proceedings.

**Background and Justification:** On June 20, 2006, the Board of County Commissioners adopted Resolution R-2006-1063, which initiated Eminent Domain Proceedings against 80 parcels for the Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard construction project in its entirety. On July 1, 2006, Florida Law changed the requirement for Resolutions for Eminent Domain Proceedings. Future suit filings in court will require the Board of County Commissioners to adopt Resolutions on a per property basis, and not for a project in its entirety. To comply with this law change,

(Continued on Page 3)

## 2. Resolutions with Exhibit A and Exhibit B

8/31/06  
Date

Date \_\_\_\_\_

County Engineer

9/6/06  
Date

Date \_\_\_\_\_

jmb

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	<u>\$1,547,700</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$1,547,700</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

# ADDITIONAL FTE  
POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included in Current Budget? Yes X No \_\_\_\_  
Budget Acct No.: Fund 3503 Dept. 361 Unit 0725 Object 6120  
Program

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Fund - Zone 3  
Seminole Pratt/Southern Blvd to S of Okeechobee

Appraised Values- 46 Parcels

\$1,547,700.00

C. Departmental Fiscal Review: R. J. Ward 9/1/06

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Jim Dink 9-7-06  
OFMB

Jim J. Jaworski 9/18/06  
Contract Dev. and Control

### B. Approved as to Form and Legal Sufficiency:

Mark H. Hargrove  
Assistant County Attorney

### C. Other Department Review:

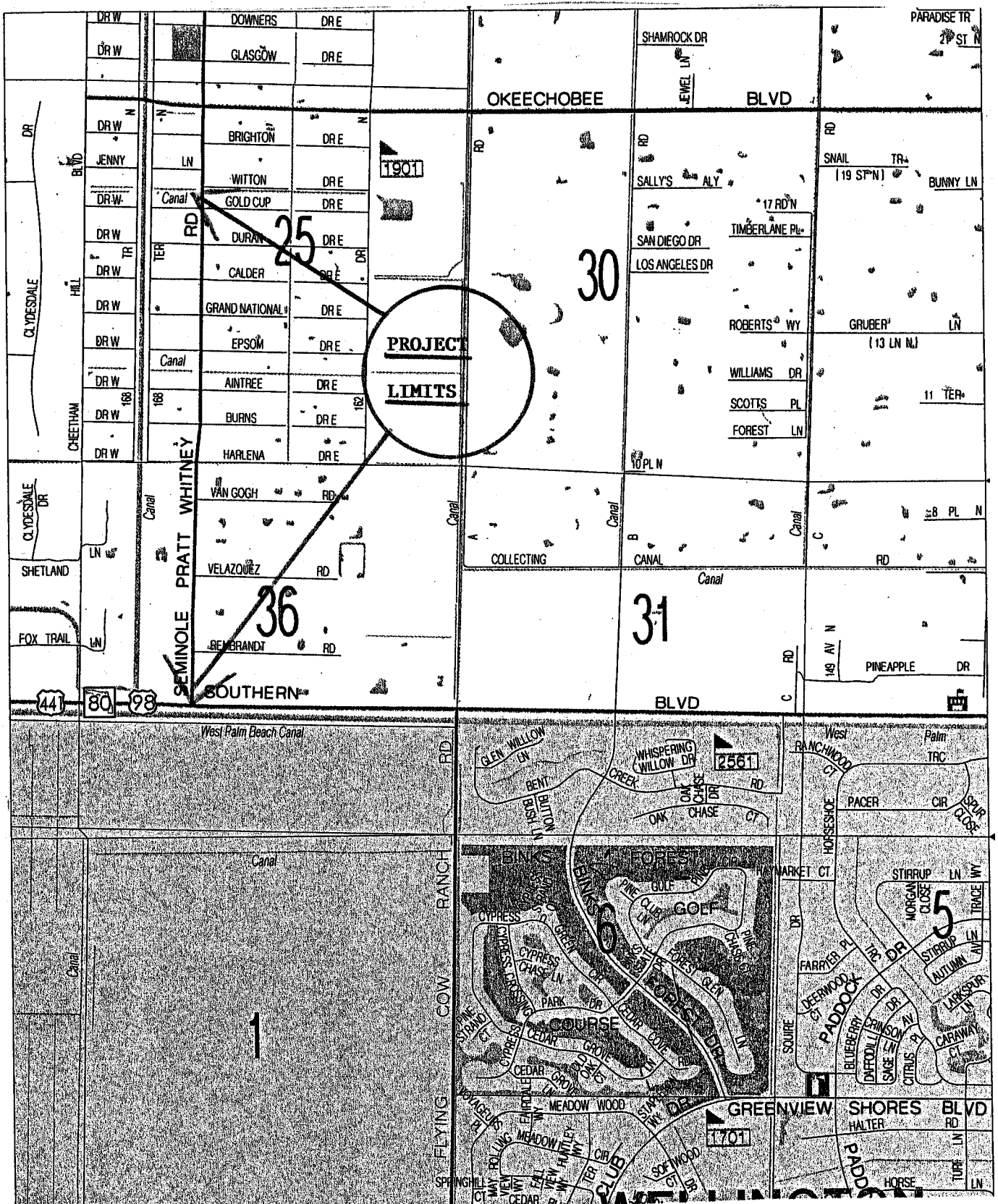
\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.

**Background & Justification (Continued)**

Resolutions for each of the remaining 46 parcels to be settled for this project are being submitted to replace Resolution R-2006-1063, so that the Eminent Domain Proceedings may continue for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard.

### LOCATION MAP



RESOLUTION NO. R-2006

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 3 AS A WHOLE-TAKE IN FEE SIMPLE FOR THE RETENTION POND, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF SEMINOLE PRATT WHITNEY ROAD, FROM SOUTHERN BOULEVARD TO SOUTH OF OKEECHOBEE BOULEVARD, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

1. WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners or Palm Beach County, for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, in Palm Beach County, Florida; and,
2. WHEREAS, the funds are available for the acquisition of this parcel; and,
3. WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127 and 337.27, as amended; and,
9. WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, authorizing the selection of appraisers and other experts and the filing of Eminent Domain Proceedings; and,
7. *→ after considering the factors set forth above,* WHEREAS, this Board has determined that the acquisition of the real property identified as Parcel 3 as a Whole-Take in Fee Simple for the retention pond, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, and as such, the acquisition of said property is a public necessity deemed to be in the best interest of Palm Beach County; and,

9. WHEREAS, a Whole-Take In Fee Simple of the property identified as Parcel 3 is for the purpose of constructing a retention pond for the roadway improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, thereon with the construction to be undertaken by Palm Beach County as to thereon and adjacent thereto;

8. WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida, to the extent they may apply; and,

10. WHEREAS, in order to accomplish the acquisition of this property, it is necessary for the County Engineer and the County Attorney to take legal action and to employ real estate appraisers and other experts deemed necessary.

5. ~~11~~ 9. WHEREAS, this Board ~~and the County Engineer~~ has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, <sup>as applicable,</sup> prior to determining that the acquisition of this Parcel 3 is necessary for this specified construction and improvement project for public use and this public purpose; as set forth on Exhibit "A" attached hereto and incorporated herein.

6. Whereas, this Board has considered the required factors under Florida law, as applicable, as they apply to this parcel; parcel \_\_\_\_\_.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer is authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described on Exhibit "A" for the purpose of acquiring said property through Eminent Domain.
3. The County Attorney is hereby authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain proceedings, the real property described in Exhibit "A" prepared in the name of Palm Beach County all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Attorney and the County Engineer are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any of the real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose: A Fee Simple Whole-take for a Pond. The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

TONY MASILOTTI, CHAIRMAN	_____
ADDIE L. GREENE, VICE CHAIRPERSON	_____
KAREN T. MARCUS	_____
JEFF KOONS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, Clerk & Comptroller

BY: \_\_\_\_\_  
County Attorney

BY: \_\_\_\_\_  
Deputy Clerk



**Parcel 3**  
**00-40-43-36-00-000-2150**

***LEGAL DESCRIPTION***

TRACT 15, ACCORDING TO THE PLAT OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION OF A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AS SAID LOT IS SHOWN IN SAID SUBDIVISION RECORDED IN OFFICIAL RECORD BOOK 2831, PAGES 239 AND 240, PUBLIC RECORDS OF SAID COUNTY.

SUBJECT TO EASEMENTS AND RESERVATIONS AS SHOWN ON SAID PLAT.

TOGETHER WITH A RIGHT OF INGRESS AND EGRESS OVER VELAZQUES ROAD (60 FEET WIDE).

5.01 ± Acres

**RESOLUTION NO. R-2006**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 100 AS A PARTIAL-TAKE IN FEE SIMPLE FOR THE RIGHT-OF-WAY NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF SEMINOLE PRATT WHITNEY ROAD, FROM SOUTHERN BOULEVARD TO SOUTH OF OKEECHOBEE BOULEVARD, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of this parcel; and,

**WHEREAS**, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127 and 337.27, as amended; and,

**WHEREAS**, the acquisition of this parcel is necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, authorizing the selection of appraisers and other experts and the filing of Eminent Domain Proceedings; and,

**WHEREAS**, this Board has determined that the acquisition of the real property identified as Parcel 100 as a Partial-Take in Fee Simple for the necessary right-of-way, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, and as such, the acquisition of said property is a public necessity deemed to be in the best interest of Palm Beach County; and,

**WHEREAS,** a Partial-Take in Fee Simple of the property identified as Parcel 100 is necessary for right-of-way, thereon with the construction to be undertaken by Palm Beach County as to Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, thereon and adjacent thereto. The right-of-way Partial-Take Fee Simple in parcel is granted upon the condition that the construction limits shall not extend beyond the limits outlined in the legal description of said property; and,

**WHEREAS,** the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida, to the extent they may apply; and,

**WHEREAS,** in order to accomplish the acquisition of this property, it is necessary for the County Engineer and the County Attorney to take legal action and to employ real estate appraisers and other experts deemed necessary.

**WHEREAS,** this Board and its agents or designee(s) has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, prior to determining that the acquisition of this Parcel 100 is necessary for this specified construction and improvement project for public use and this public purpose;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer is authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described on Exhibit "A" for the purpose of acquiring said property through Eminent Domain.
3. The County Attorney is hereby authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain proceedings, the real property described in Exhibit "A" prepared in the name of Palm Beach County all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Attorney and the County Engineer are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose: Partial-take Fee Simple for road right-of-way. The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

TONY MASILOTTI, CHAIRMAN	_____
ADDIE L. GREENE, VICE CHAIRPERSON	_____
KAREN T. MARCUS	_____
JEFF KOONS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, Clerk & Comptroller

BY: \_\_\_\_\_  
County Attorney

BY: \_\_\_\_\_  
Deputy Clerk

EXHIBIT "A"  
SHEET 1 OF 2

A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 36; THENCE NORTH 88°50'02" WEST ALONG THE NORTH LINE OF SAID SECTION 36 A DISTANCE OF 1026.60 FEET TO THE EXISTING EAST RIGHT OF WAY OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON ROAD PLAT BOOK 4 AT PAGES 34 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°32'25" WEST ALONG SAID EXISTING EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 3144.78 FEET TO THE WESTERNMOST SOUTH-WEST CORNER OF TRACT 1, ACCORDING TO THE MAP OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AS SAID TRACT IS SHOWN IN SAID SUBDIVISION RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGES 239 AND 240 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 01° 32' 25" WEST ALONG SAID EXISTING EAST RIGHT OF WAY OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 193.96 FEET TO ITS INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 (SOUTHERN BLVD.) ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 93120-2515 ON SHEET 12; SAID INTERSECTION LYING ON THE ARC OF A NONTANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 49224.86 FEET AT WHICH THE RADIUS POINT BEARS SOUTH 02° 15' 05" WEST; THENCE RUN EASTERLY 49.47 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00° 03' 27"; THENCE NORTH 43° 04' 31" WEST A DISTANCE OF 56.19 FEET; THENCE NORTH 01° 32' 25" EAST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) THE EXISTING EAST RIGHT OF WAY OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 155.14 FEET TO A SOUTH BOUNDARY OF TRACT 1 ACCORDING TO THE MAP OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGES 239 AND 240 OF SAID PUBLIC RECORDS; THENCE SOUTH 88° 27' 35" WEST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 10.01 FEET TO THE POINT OF BEGINNING.

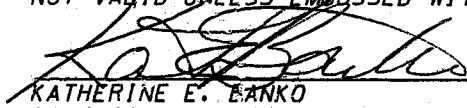
SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 2722 SQUARE FEET, MORE OR LESS.

BEARINGS SHOWN HEREON ARE RELATIVE TO THE NATIONAL OCEAN SERVICE, TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT) THE GRID BEARING BEING NORTH 01°32'25" EAST ALONG THE CENTERLINE OF SEMINOLE-PRATT WHITNEY ROAD.


SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND THE ABOVE LEGAL DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THE ATTACHED SKETCH AND ABOVE LEGAL DESCRIPTION MEET THE INTENT OF THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND ADOPTED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 1981.

NOT VALID UNLESS EMBOSSED WITH SURVEYORS SEAL.

  
KATHERINE E. BANKO  
PROFESSIONAL SURVEYOR AND MAPPER  
NO. 5503, STATE OF FLORIDA  
LB NO. 7334

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
RIGHT OF WAY ACQUISITION

 **CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

LEGAL DESCRIPTION  
PARCEL NO. 100

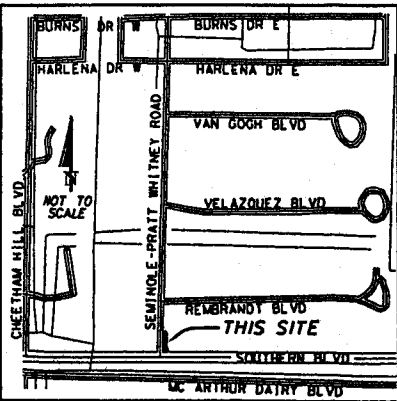
CRES No. 00107

REV. 09/26/05

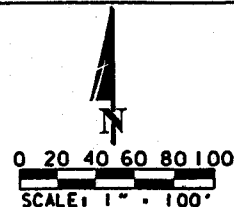
07/08/05

1 OF 2

# EXHIBIT "A" SHEET 2 OF 2

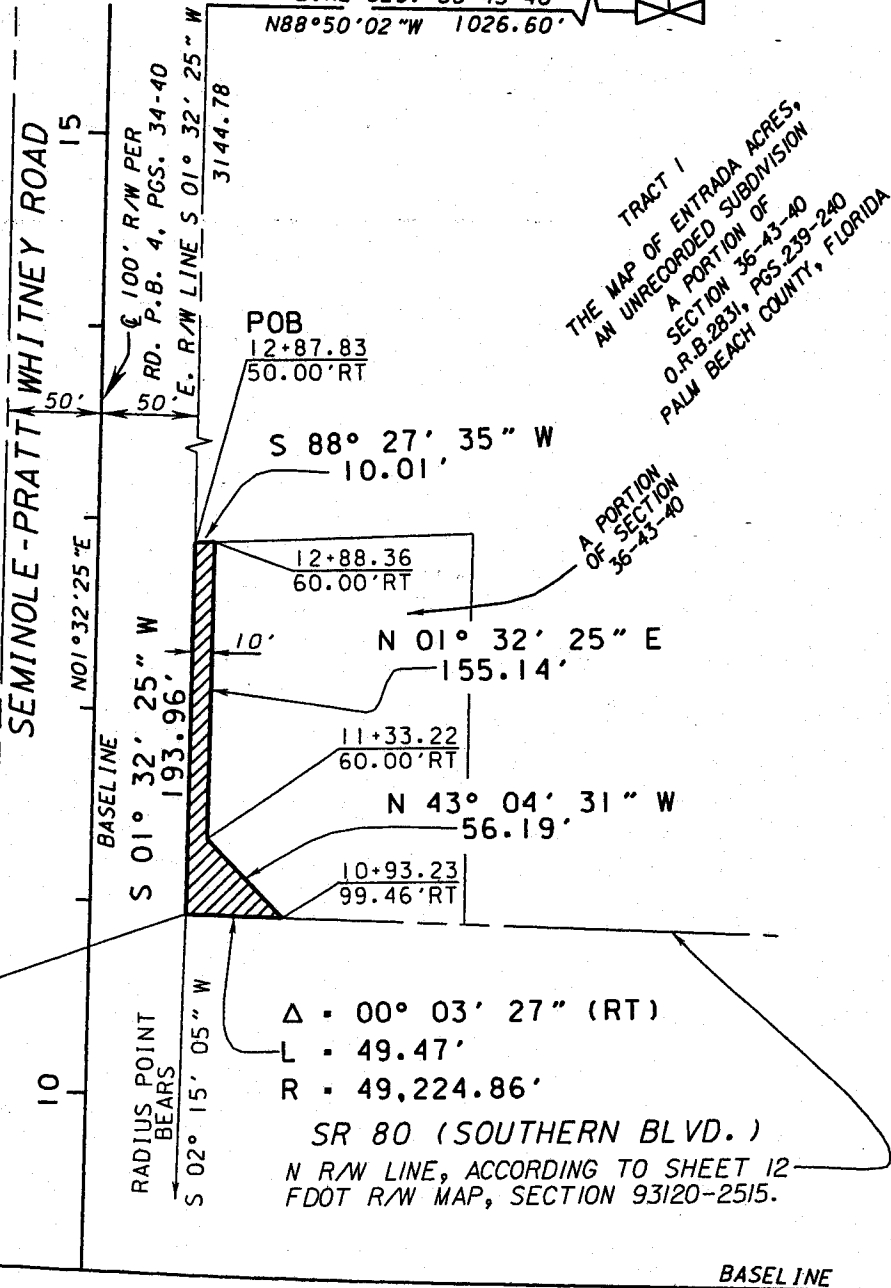


LOCATION MAP



POC  
N/CORNER  
SEC. 36-43-40

N. LINE SEC. 36-43-40  
N88°50'02"W 1026.60'



- LEGEND**
- CL • CENTERLINE
  - Δ • DELTA (CENTRAL ANGLE)
  - FDOT • FLORIDA DEPARTMENT OF TRANSPORTATION
  - L • LENGTH
  - O.R.B. • OFFICIAL RECORD BOOK
  - P.B. • PLAT BOOK
  - PGS. • PAGES
  - POB • POINT OF BEGINNING
  - R • RADIUS
  - (RT) • RIGHT
  - R/W • RIGHT OF WAY
  - STA. • STATION

THIS IS NOT A SURVEY

STATIONING PER RD. P.B. 4, PGS. 34-40.  
PUBLIC RECORDS OF PALM BEACH COUNTY RECORDS

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
RIGHT OF WAY ACQUISITION

**CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

SKETCH OF  
PARCEL NO. 100

CRES No. 00107	REV. 09/26/05	07/08/05	2 OF 2
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**RESOLUTION NO. R-2006**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 203 AS A PERPETUAL EMBANKMENT EASEMENT FOR THE CONSTRUCTION AND IMPROVEMENT OF SEMINOLE PRATT WHITNEY ROAD, FROM SOUTHERN BOULEVARD TO SOUTH OF OKEECHOBEE BOULEVARD, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of this parcel; and,

**WHEREAS**, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127 and 337.27, as amended; and,

**WHEREAS**, the acquisition of this parcel is necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, authorizing the selection of appraisers and other experts and the filing of Eminent Domain Proceedings; and,

**WHEREAS**, this Board has determined that the acquisition of the real property identified as Parcel 203 as a Perpetual Embankment Easement, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, and as such, the acquisition of said property is a public necessity deemed to be in the best interest of Palm Beach County; and,



**WHEREAS,** a Perpetual Embankment Easement on a property identified as Parcel 203 is necessary for the following purposes and uses: constructing and permanently maintaining an embankment to secure and preserve the structural integrity of the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard. Said embankment is non-exclusive, provided, however, that all parties shall be prohibited from excavating the embankment constructed thereon. The filling, sloping, and/or grading upon the above land shall not extend beyond the limits outlined in the legal description of said property; and,

**WHEREAS,** the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida, to the extent they may apply; and,

**WHEREAS,** in order to accomplish the acquisition of this property, it is necessary for the County Engineer and the County Attorney to take legal action and to employ real estate appraisers and other experts deemed necessary.

**WHEREAS,** this Board and its agents or designee(s) has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, prior to determining that the acquisition of this Parcel 203 is necessary for this specified construction and improvement project for public use and this public purpose;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer is authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described on Exhibit "A" for the purpose of acquiring said property through Eminent Domain.
3. The County Attorney is hereby authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain proceedings, the real property described in Exhibit "A" prepared in the name of Palm Beach County all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Attorney and the County Engineer are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any of the real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose: Perpetual Embankment Easement. The foregoing Resolution was offered by Commissioner\_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner\_\_\_\_\_, and upon being put to a vote, the vote was as follows:

TONY MASILOTTI, CHAIRMAN	_____
ADDIE L. GREENE, VICE CHAIRPERSON	_____
KAREN T. MARCUS	_____
JEFF KOONS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, Clerk & Comptroller

BY: \_\_\_\_\_  
County Attorney

BY: \_\_\_\_\_  
Deputy Clerk

**EXHIBIT "A"**  
**SHEET 1 OF 2**

A PORTION OF TRACT 14, ACCORDING TO THE MAP OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AS SAID TRACT IS SHOWN ON SAID SUBDIVISION RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGES 239 AND 240, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 36; THENCE NORTH 88°50'02" WEST ALONG THE NORTH LINE OF SAID SECTION 36 A DISTANCE OF 1026.60 FEET TO THE EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON ROAD PLAT BOOK 4 AT PAGES 34 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°32'25" WEST ALONG SAID EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 1624.33 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF VAN GOGH BLVD. AS SHOWN ON SAID MAP OF ENTRADA ACRES; THENCE SOUTH 88°27'35" EAST ALONG SAID CENTERLINE OF VAN GOGH BLVD. A DISTANCE OF 17.00 FEET; THENCE SOUTH 01°32'25" WEST ALONG A LINE 17 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON SAID MAP A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 01°32'25" WEST ALONG SAID LINE A DISTANCE OF 495.93 FEET TO THE SOUTH BOUNDARY OF TRACT 14; THENCE NORTH 88°27'35" WEST ALONG SAID SOUTH BOUNDARY OF TRACT 14 A DISTANCE OF 7.00 FEET; THENCE NORTH 01°32'25" EAST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EAST RIGHT OF WAY LINE A DISTANCE OF 488.93 FEET; THENCE NORTH 46°32'25" EAST A DISTANCE OF 9.90 FEET TO THE POINT OF BEGINNING.


SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 3447 SQUARE FEET, MORE OR LESS.

BEARINGS SHOWN HEREON ARE RELATIVE TO THE NATIONAL OCEAN SERVICE, TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT) THE GRID BEARING BEING NORTH 01°32'25" EAST ALONG THE CENTERLINE OF SEMINOLE-PRATT WHITNEY ROAD.

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND THE ABOVE LEGAL DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THE ATTACHED SKETCH AND ABOVE LEGAL DESCRIPTION MEET THE INTENT OF THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND ADOPTED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 1981.

NOT VALID UNLESS EMBOSSED WITH SURVEYORS SEAL.

  
KATHERINE E. BANKO  
PROFESSIONAL SURVEYOR AND MAPPER  
NO. 5503, STATE OF FLORIDA  
LB NO. 7334

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
EMBANKMENT EASEMENT

 **CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9123 FAX 561-753-9124 EB-25912 LB-7334

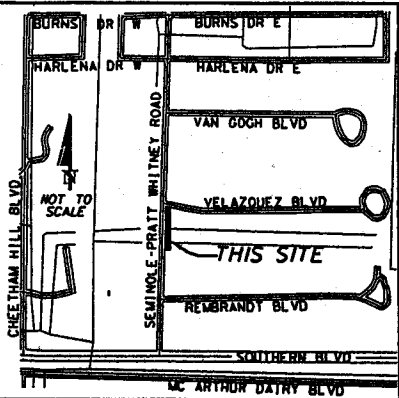
LEGAL DESCRIPTION  
PARCEL NO. 203

CRES No. 00107

09/26/05

1 OF 2

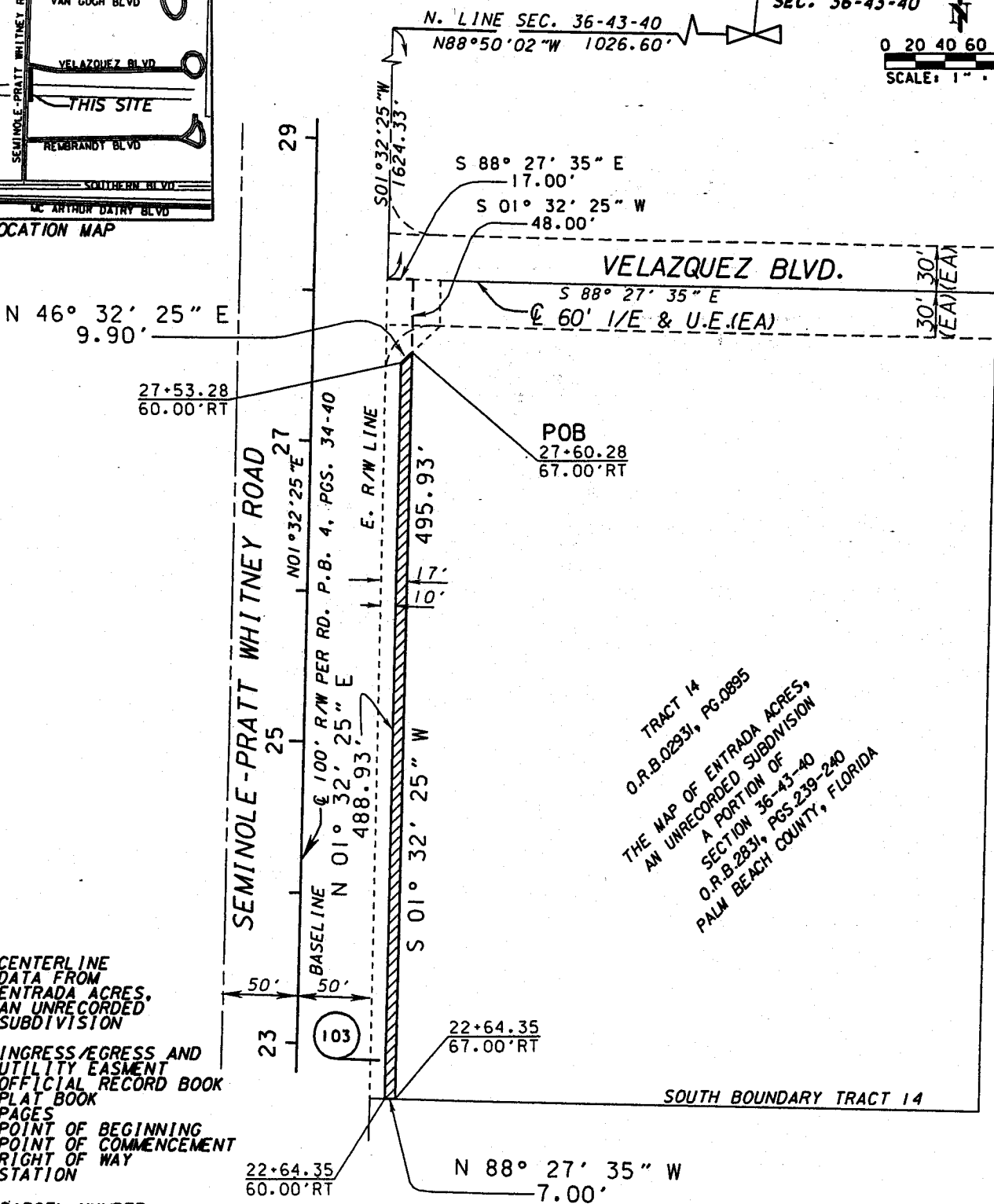
# EXHIBIT "A" SHEET 2 OF 2



LOCATION MAP

POC  
N 1/4 CORNER  
SEC. 36-43-40

0 20 40 60 80 100  
SCALE: 1" = 100'



- LEGEND:
- (C) : CENTERLINE
  - (EA) : DATA FROM ENTRADA ACRES, AN UNRECORDED SUBDIVISION
  - 1/2 E & U.E. : INGRESS/EGRESS AND UTILITY EASEMENT
  - O.R.B. : OFFICIAL RECORD BOOK
  - P.B. : PLAT BOOK
  - PGS. : PAGES
  - POB : POINT OF BEGINNING
  - POC : POINT OF COMMENCEMENT
  - R/W : RIGHT OF WAY
  - STA. : STATION
  - (103) : PARCEL NUMBER

THIS IS NOT A SURVEY

STATIONING PER RD. P.B. 4, PGS. 34-40,  
PUBLIC RECORDS OF PALM BEACH COUNTY RECORDS

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
EMBANKMENT EASEMENT

**CrossROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

SKETCH OF  
PARCEL NO. 203

CRES No. 00107

09/26/05

2 OF 2

**RESOLUTION NO. R-2006**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 237 AS A PERPETUAL DRAINAGE EASEMENT FOR THE CONSTRUCTION AND IMPROVEMENT OF SEMINOLE PRATT WHITNEY ROAD, FROM SOUTHERN BOULEVARD TO SOUTH OF OKEECHOBEE BOULEVARD, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of this parcel; and,

**WHEREAS**, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127 and 337.27, as amended; and,

**WHEREAS**, the acquisition of this parcel is necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, authorizing the selection of appraisers and other experts and the filing of Eminent Domain Proceedings; and,

**WHEREAS**, this Board has determined that the acquisition of the real property identified as Parcel 237 as a Perpetual Drainage Easement, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, and as such, the acquisition of said property is a public necessity deemed to be in the best interest of Palm Beach County; and,

**WHEREAS**, a Perpetual Drainage Easement on property identified as Parcel 237 is necessary for the purpose and use of constructing and permanently maintaining drainage pipes and structures necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard.

**WHEREAS**, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida, to the extent they may apply; and,

**WHEREAS**, in order to accomplish the acquisition of this property, it is necessary for the County Engineer and the County Attorney to take legal action and to employ real estate appraisers and other experts deemed necessary.

**WHEREAS**, this Board and its agents or designee(s) has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, prior to determining that the acquisition of this Parcel 237 is necessary for this specified construction and improvement project for public use and this public purpose;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer is authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described on Exhibit "A" for the purpose of acquiring said property through Eminent Domain.
3. The County Attorney is hereby authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain proceedings, the real property described in Exhibit "A" prepared in the name of Palm Beach County all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Attorney and the County Engineer are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.



**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose: Perpetual Drainage Easement. The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

TONY MASILOTTI, CHAIRMAN	_____
ADDIE L. GREENE, VICE CHAIRPERSON	_____
KAREN T. MARCUS	_____
JEFF KOONS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, Clerk & Comptroller

BY: \_\_\_\_\_  
County Attorney

BY: \_\_\_\_\_  
Deputy Clerk

EXHIBIT "A"  
SHEET 1 OF 2

A PORTION OF TRACT 14, ACCORDING TO THE MAP OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AS SAID TRACT IS SHOWN ON SAID SUBDIVISION RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGES 239 AND 240, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 36; THENCE NORTH 88°50'02" WEST ALONG THE NORTH LINE OF SAID SECTION 36 A DISTANCE OF 1026.60 FEET TO THE EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON ROAD PLAT BOOK 4 AT PAGES 34 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°32'25" WEST ALONG SAID EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 1624.33 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF VELAZQUEZ BLVD. AS SHOWN ON SAID MAP OF ENTRADA ACRES; THENCE SOUTH 88°27'35" EAST ALONG SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 88°27'35" EAST ALONG SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 366.06 FEET TO THE EAST BOUNDARY OF SAID TRACT 14; THENCE SOUTH 01°32'25" WEST ALONG SAID EAST BOUNDARY A DISTANCE OF 30.00 FEET; THENCE NORTH 88°27'35" WEST ALONG A LINE 30 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID CENTERLINE OF VELAZQUEZ BLVD. A DISTANCE OF 366.06 FEET; THENCE NORTH 01°32'25" EAST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 10982 SQUARE FEET, MORE OR LESS.

BEARINGS SHOWN HEREON ARE RELATIVE TO THE NATIONAL OCEAN SERVICE, TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT) THE GRID BEARING BEING NORTH 01°32'25" EAST ALONG THE CENTERLINE OF SEMINOLE-PRATT WHITNEY ROAD.


SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND THE ABOVE LEGAL DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THE ATTACHED SKETCH AND ABOVE LEGAL DESCRIPTION MEET THE INTENT OF THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND ADOPTED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 1981.

NOT VALID UNLESS EMBOSSED WITH SURVEYORS SEAL.

Terry D. Laird 3-31-06  
TERRY D. LAIRD  
PROFESSIONAL SURVEYOR AND MAPPER  
NO. 5617 STATE OF FLORIDA  
LB NO. 7334

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
DRAINAGE EASEMENT

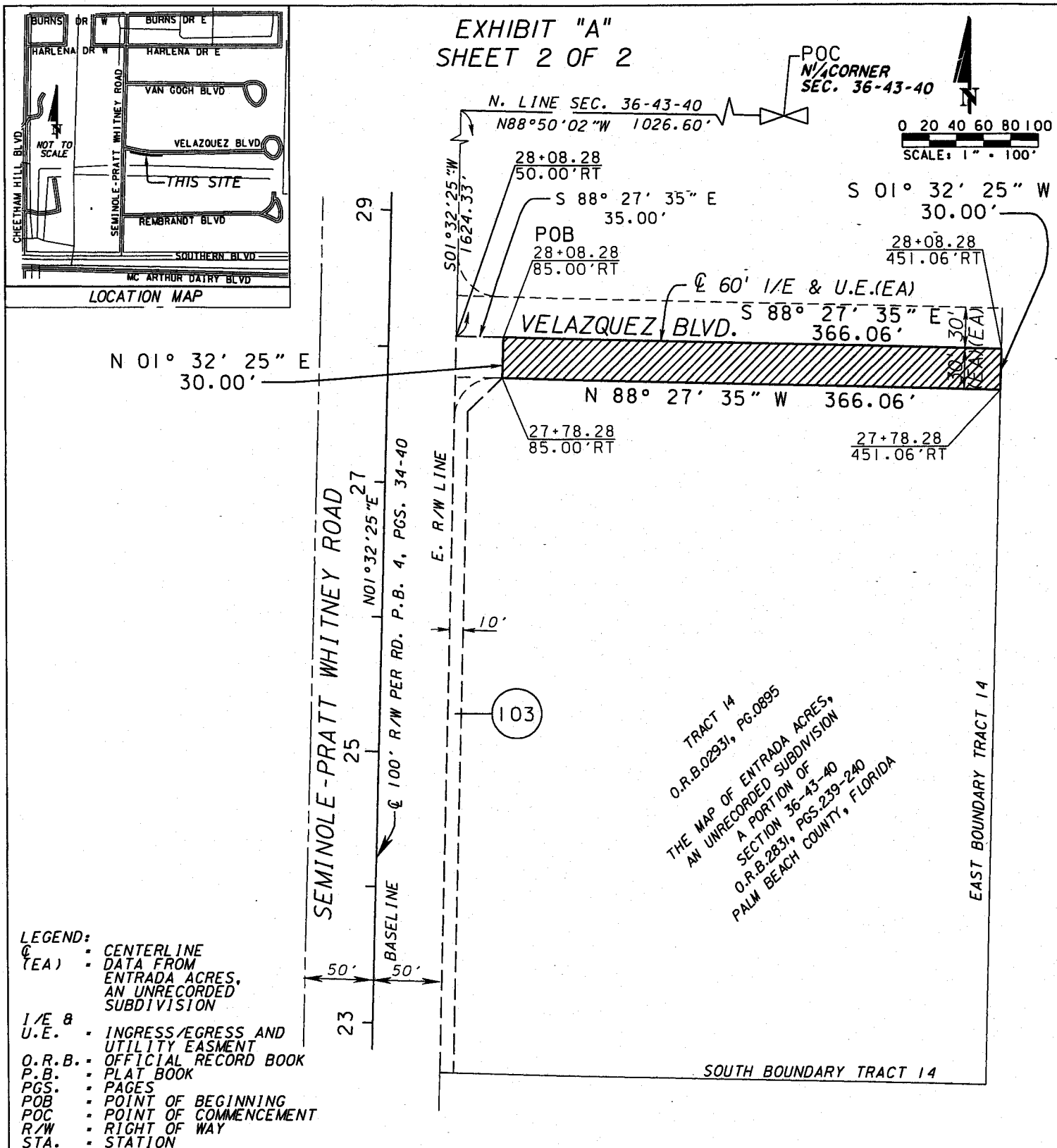
 **CROSSROADS**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

LEGAL DESCRIPTION  
PARCEL NO. 237

No. 00107

03/31/06

1 OF 2



<p>PROJECT NO.1997511A SEMINOLE-PRATT WHITNEY ROAD DRAINAGE EASEMENT</p>	<p><b>CrossROADS</b> ENGINEERING &amp; SURVEYING An Erdman Anthony Company 1402 ROYAL PALM BEACH BLVD., BLDG 500 ROYAL PALM BEACH, FLORIDA 33411 PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334</p>	<p>SKETCH OF PARCEL NO. 237</p> <table><tr><td>No.00107</td><td>03/31/06</td><td>2 OF 2</td></tr></table>	No.00107	03/31/06	2 OF 2
No.00107	03/31/06	2 OF 2			

**RESOLUTION NO. R-2006**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 300 AS A TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION AND IMPROVEMENT OF SEMINOLE PRATT WHITNEY ROAD, FROM SOUTHERN BOULEVARD TO SOUTH OF OKEECHOBEE BOULEVARD, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of this parcel; and,

**WHEREAS**, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127 and 337.27, as amended; and,

**WHEREAS**, the acquisition of this parcel is necessary for the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, authorizing the selection of appraisers and other experts and the filing of Eminent Domain Proceedings; and,

**WHEREAS**, this Board has determined that the acquisition of the real property identified as Parcel 300 as a Temporary Construction Easement, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvement of Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, and as such, the acquisition of said property is a public necessity deemed to be in the best interest of Palm Beach County; and,

**WHEREAS**, a Temporary Construction Easement on property identified as Parcel 300 is necessary for the purpose of tying in and harmonizing said property and driveways, walkways, etc., thereon with the construction and improvement to be undertaken by Palm Beach County as to Seminole Pratt Whitney Road, from Southern Boulevard to south of Okeechobee Boulevard, adjacent thereto. This Temporary Construction Easement is granted upon the condition that the sloping and or grading upon and above land shall not extend beyond the limits outlined in the legal descriptions of said property. This Temporary Construction Easement shall expire in two years from the date of acquisition or upon the acceptance of the completed construction by the Palm Beach County Board of County Commissioners, whichever is earlier; and

**WHEREAS**, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida, to the extent they may apply; and,

**WHEREAS**, in order to accomplish the acquisition of this property, it is necessary for the County Engineer and the County Attorney to take legal action and to employ real estate appraisers and other experts deemed necessary.

**WHEREAS**, this Board and its agents or designee(s) has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, prior to determining that the acquisition of this Parcel 300 is necessary for this specified construction and improvement project for public use and this public purpose;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer is authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described on Exhibit "A" for the purpose of acquiring said property through Eminent Domain.
3. The County Attorney is hereby authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain proceedings, the real property described in Exhibit "A" prepared in the name of Palm Beach County all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Attorney and the County Engineer are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose: Temporary Construction Easement. The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

TONY MASILOTTI, CHAIRMAN	_____
ADDIE L. GREENE, VICE CHAIRPERSON	_____
KAREN T. MARCUS	_____
JEFF KOONS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, Clerk & Comptroller

BY: \_\_\_\_\_  
County Attorney

BY: \_\_\_\_\_  
Deputy Clerk

EXHIBIT "A"  
SHEET 1 OF 2

A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER (N 1/4) CORNER OF SAID SECTION 36; THENCE NORTH 88°50'02" WEST ALONG THE NORTH LINE OF SAID SECTION 36 A DISTANCE OF 1026.60 FEET TO THE EAST RIGHT OF WAY OF SEMINOLE-PRATT WHITNEY ROAD AS SHOWN ON ROAD PLAT BOOK 4 AT PAGES 34 THROUGH 40 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°32'25" WEST ALONG SAID EAST RIGHT OF WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD A DISTANCE OF 3144.78 FEET TO THE WESTERNMOST SOUTH-WEST CORNER OF TRACT 1, ACCORDING TO THE MAP OF ENTRADA ACRES, AN UNRECORDED SUBDIVISION IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, AS SAID TRACT IS SHOWN IN SAID SUBDIVISION RECORDED IN OFFICIAL RECORDS BOOK 2831, PAGES 239 AND 240 OF SAID PUBLIC RECORDS; THENCE NORTH 88° 27' 35" EAST ALONG A SOUTH BOUNDARY OF SAID TRACT 1 A DISTANCE OF 10.01 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 88° 27' 35" EAST ALONG SAID SOUTH BOUNDARY OF SAID TRACT 1 A DISTANCE OF 4.01 FEET; THENCE SOUTH 01°32'25" WEST ALONG A LINE 14 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EAST RIGHT OF WAY LINE A DISTANCE OF 159.41 FEET; THENCE NORTH 43°04'31" WEST A DISTANCE OF 5.70 FEET; THENCE NORTH 01°32'25" EAST ALONG A LINE 10 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID EAST RIGHT OF WAY LINE A DISTANCE OF 155.14 FEET TO THE POINT OF BEGINNING.

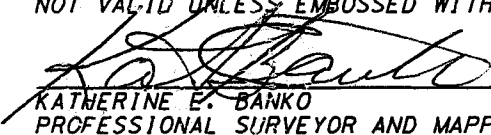
SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 629 SQUARE FEET, MORE OR LESS.

BEARINGS SHOWN HEREON ARE RELATIVE TO THE NATIONAL OCEAN SERVICE, TRANSVERSE MERCATOR COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983 (1990 ADJUSTMENT) THE GRID BEARING BEING NORTH 01°32'25" EAST ALONG THE CENTERLINE OF SEMINOLE-PRATT WHITNEY ROAD.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND THE ABOVE LEGAL DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THE ATTACHED SKETCH AND ABOVE LEGAL DESCRIPTION MEET THE INTENT OF THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND ADOPTED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, EFFECTIVE SEPTEMBER 1, 1981.

NOT VALID UNLESS EMBOSSED WITH SURVEYORS SEAL.

  
KATHERINE E. BANKO  
PROFESSIONAL SURVEYOR AND MAPPER  
NO. 5503, STATE OF FLORIDA  
LB NO. 7334

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
TEMPORARY CONSTRUCTION  
EASEMENT

 **Crossroads**  
ENGINEERING & SURVEYING  
An Erdman Anthony Company  
1402 ROYAL PALM BEACH BLVD., BLDG 500  
ROYAL PALM BEACH, FLORIDA 33411  
PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

LEGAL DESCRIPTION  
PARCEL NO. 300

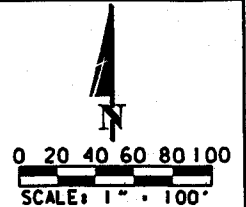
CRES No. 00107

09/26/05

1 OF 2



# EXHIBIT "A" SHEET 2 OF 2



POC  
N $\frac{1}{4}$ CORNER  
SEC. 36-43-40

N. LINE SEC.- 36-43-40  
N88°50'02"W 1026.60'

TRACT I  
THE MAP OF ENTRADA ACRES,  
AN UNRECORDED SUBDIVISION  
A PORTION OF  
SECTION 36-43-40  
O.R.B. 2831, PGS. 239-240  
PALM BEACH COUNTY, FLORIDA

A PORTION  
OF SECTION  
36-43-40

12+87.83  
50.00' RT  
N 88° 27' 35" E  
10.01'

POB  
12+88.36  
60.00' RT  
N 88° 27' 35" E  
4.01'

12+88.58  
64.00' RT  
14'  
10'  
S 01° 32' 25" W  
159.41'

11+29.17  
64.00' RT

11+33.22  
60.00' RT  
N 43° 04' 31" W  
5.70'

SEMINOLE-PRATT WHITNEY ROAD

BASELINE

N 01° 32' 25" E  
155.14'

15  
50'  
50'  
10

SR 80 (SOUTHERN BLVD.)  
N R/W LINE, ACCORDING TO SHEET 12  
FDOT R/W MAP, SECTION 93120-2515.

BASELINE

- LEGEND
- CL • CENTERLINE
  - Δ • DELTA (CENTRAL ANGLE)
  - FDOT • FLORIDA DEPARTMENT OF TRANSPORTATION
  - L • LENGTH
  - O.R.B. • OFFICIAL RECORD BOOK
  - P.B. • PLAT BOOK
  - PGS. • PAGES
  - POB • POINT OF BEGINNING
  - R • RADIUS
  - (RT) • RIGHT
  - R/W • RIGHT OF WAY
  - STA. • STATION

100 • PARCEL NUMBER

THIS IS NOT A SURVEY

STATIONING PER RD. P.B. 4, PGS. 34-40.  
PUBLIC RECORDS OF PALM BEACH COUNTY RECORDS

PROJECT NO. 1997511A  
SEMINOLE-PRATT  
WHITNEY ROAD  
TEMPORARY CONSTRUCTION  
EASEMENT

**CROSSROADS**  
ENGINEERING & SURVEYING  
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PH 561-753-9723 FAX 561-753-9724 EB-25912 LB-7334

SKETCH OF  
PARCEL NO. 300

CRES No. 00107

09/26/05

2 OF 2