

Agenda Item # :

3-C-3

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 6, 2007

☒ Consent

☐ Regular

☐ Workshop

☐ Public Hearing

Department:

Submitted By: Engineering and Public Works

Submitted For: Right-of-Way Acquisition Section

Project No. 1997512A3

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A. Accept a Warranty Deed.

B. Approve payment of \$733,200 for Parcels 157 and 158.

Summary: The property owner has accepted the appraised value of \$733,200 for property that is required for the retention pond that is necessary for the roadway construction project of Seminole Pratt Whitney Road at the Northlake Boulevard Intersection.

District: 6 (PM)

Background and Justification: On January 9, 2007, the Board of County Commissioners approved a request granting approval to appraise and acquire rights-of-way for projects shown on the Five-Year Road Program. Staff recommends Board approval of the \$733,200 payment for acquisition of Parcels 157 and 158, which are required for the retention pond necessary for the roadway construction project of Seminole Pratt Whitney Road at the Northlake Boulevard Intersection. Payment to the property owner at this time will be beneficial to the County because it would avoid the future condemnation process and its associated costs.

Attachments:

1. Location Map
2. Appraisal Certification Letter
3. Warranty Deed with Exhibit "A"

Recommended by:

Orlando A. Fernandez
Division Director

12/20/06
Date

Approved by:

A. T. Welch
County Engineer

1/17/07
Date

JMB
jmb

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>\$733.200</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>\$733,200</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 0620 Object 6120.
Program

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

Road Impact Fee Fund - Zone 3

Seminole Pratt @ Northlake Blvd Intersection

Appraisal - Parcel 157	\$366,600.00
Appraisal - Parcel 158	\$366,600.00
Fiscal Impact	<u>\$733,200.00</u>

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

Jim D. L. 1-23-07
OFMB

Jim J. Jacoby 1/26/07
Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

Phil W. Reynolds 1-29-07
Assistant County Attorney

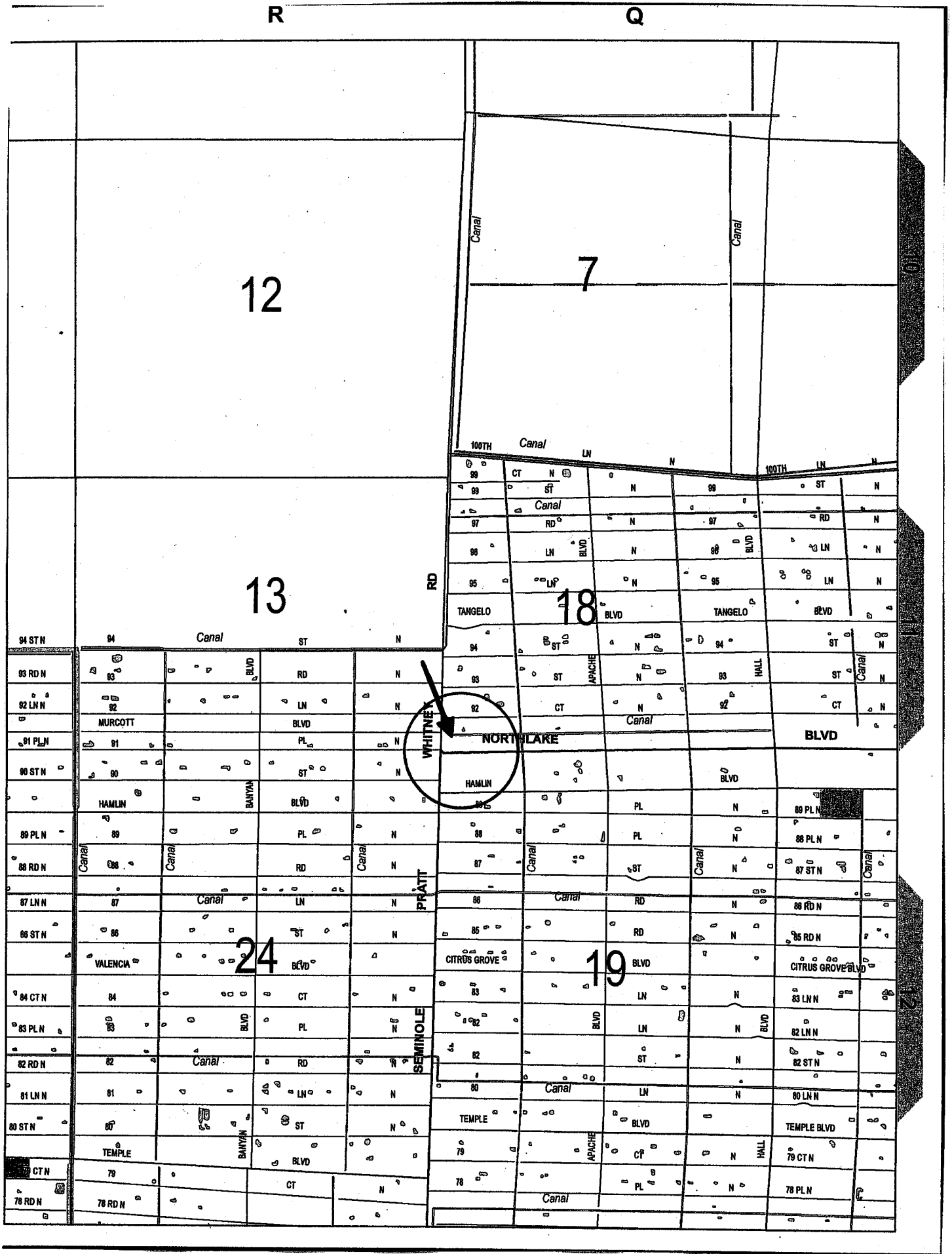
This item complies with current
County policies.

C. Other Department Review:

Department Director

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

LOCATION MAP



Jenkins Appraisal Services, Inc.

5730 Corporate Way, Suite 120, West Palm Beach, FL 33407 Phone: (561)640-4059 Facsimile: (561)640-8183

August 18, 2006

Mr. Morton Rose, P.E.
Right-of-Way Acquisition Supervisor
Palm Beach County
Department of Engineering and Public Works
Box 21229
West Palm Beach, Florida 33416-1229

Re: Parcels: 157 & 158
 Project: Seminole Pratt Whitney Road at Northlake Boulevard
 Limits: From South of Northlake Boulevard to Northlake Boulevard and
 Approximately 1,800 Feet East
 Project #: 97512A3
 Owner: Helen C. Scotten Trust

Dear Mr. Rose:

In accordance with your request, we have inspected, analyzed and appraised the above referenced property. The date of valuation was August 7, 2006. The date of transmittal of this report is indicated above. The purpose of this appraisal is to estimate the market value of the subject property.

The subject site is two parcels, each containing 1.87 acres located on the south side of Northlake Boulevard just east of Seminole Pratt Whitney Road. This is a whole taking of vacant property.

This is a Complete Appraisal Process in a Summary Appraisal Report format. Additional information and data are contained within our appraisal files.

As a result of our investigation and analysis of the information outlined in this report, I hereby submit the following market value estimate:

MARKET VALUE ESTIMATE
PARCELS 157 & 158

SEVEN HUNDRED THIRTY THREE THOUSAND TWO HUNDRED DOLLARS

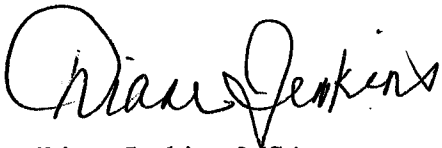
\$733,200

Morton Rose, P.E.
Page Two
August 18, 2006

An explanation of the valuation procedures utilized is contained within this report. This letter is made part of and subject to the Certification and Assumptions and Limiting Conditions set forth within this report.

Respectfully submitted,

Jenkins Appraisal Services, Inc.

A handwritten signature in cursive script, appearing to read "Diane Jenkins".

Diane Jenkins, MSA
State-Certified General Real Estate Appraiser #RZ1188

Return to:
Name: Palm Beach County
R/W Acquisition Section
Post Office Box 21229
Address: West Palm Beach, Florida 33416
Attn: JOYCE M. BOYER
Acct. No.: 1010 W/C BOX 1066

This Instrument Prepared by:
Name: Paul F. King
Assistant County Attorney
Post Office Box 21229
Address: West Palm Beach, Florida 33416

NOT TO BE RECORDED
WITHOUT BOARD OF COUNTY
COMMISSIONERS ACCEPTANCE DATE

PCN: 00-41-42-18-00-000-7900
PCN: 00-41-42-18-00-000-7890
(Individual/Partnership)

SPACE ABOVE THIS LINE FOR PROCESSING DATA

PROJECT NO. 1997512A3

ROAD NAME: SEMINOLE PRATT WHITNEY ROAD AND
NORTHLAKE BOULEVARD INTERSECTION

PARCEL NO. 157 and 158

WARRANTY DEED

THIS WARRANTY DEED, made this 12TH day of DECEMBER, 2006, by HELEN CECILIA WESTWOOD SCOTTEN, AS TRUSTEE OF THE HELEN CECILIA WESTWOOD SCOTTEN REVOCABLE TRUST DATED DECEMBER 15, 2004, whose post office address is 308 Canterbury Drive West, West Palm Beach, FL 33407, hereinafter called grantor, to PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter called grantee.

WITNESSETH: That the grantor, for and in consideration of the sum of TEN (\$10.00) dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Palm Beach County, Florida, viz:

Property more particularly described in Exhibit "A" attached hereto and made a part hereof.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that said grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is subject to encumbrances of record, and taxes subsequent to December 31, 2005.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:
(Signature of two witnesses required by Florida law)

MARK J. NOWICKI
WITNESS Signature (Required)

MARK J. NOWICKI

TYPED OR PRINTED NAME OF WITNESS

ELAINE B. LATENDRESS
WITNESS SIGNATURE (Required)

ELAINE B. LATENDRESS

TYPED OR PRINTED NAME OF WITNESS

STATE OF FLORIDA

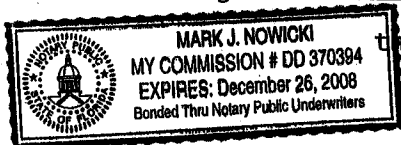
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared HELEN CECILIA WESTWOOD SCOTTEN, TRUSTEE who is / are personally known to me or who has produced IDENTIFICATION and who did/did not take an oath, executed the foregoing instrument for the uses and purposes therein expressed.

WITNESS my hand and official seal this 12TH day of DECEMBER, 2006

Signed: MARK J. NOWICKI

Notary Public in and for
the County and State aforementioned



SKETCH TO ACCOMPANY DESCRIPTION.
THIS IS NOT A SURVEY!

LEGAL DESCRIPTION: PARCEL 157

A PARCEL OF LAND SITUATE IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING THE NORTH 389.49 FEET OF THE SOUTH 638.49 FEET OF THE WEST 209 FEET OF THE EAST 4420 FEET OF SAID SECTION 18, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE, ALONG THE SOUTH LINE OF SAID SECTION 18, NORTH 88°47'17" EAST, A DISTANCE OF 884.46 FEET; THENCE, NORTH 01°12'43" WEST, A DISTANCE OF 637.82 FEET TO THE POINT OF BEGINNING THENCE, FROM THE POINT OF BEGINNING, NORTH 88°47'17" EAST, A DISTANCE OF 209.00 FEET; THENCE SOUTH 03°50'06" EAST, A DISTANCE OF 389.49 FEET; THENCE SOUTH 88°47'17" WEST, A DISTANCE OF 209.00 FEET; THENCE NORTH 03°50'06" WEST, A DISTANCE OF 389.49 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 81,318 SQUARE FEET OR 1.87 ACRES, MORE OR LESS.

ALL BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID LINE IS ASSUMED TO BEAR NORTH 88°47'17" EAST.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

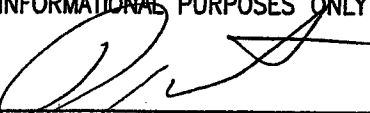
NOTE:

THE LOCATION AND DIMENSIONS OF THE PROPERTY SHOWN HEREON ARE BASED ON PREVIOUS SURVEYS IN THIS AREA MADE BY OTHER LICENSED SURVEYORS, THEY ARE IN AGREEMENT WITH THE FIRST SURVEYS OF PARCELS MADE IN THIS SECTION AS DEPICTED ON THE UNRECORDED PLATS FOR ROYAL PALM BEACH (SHEET 1 OF 12) OF SAID SECTION 18 BY WOOD, BEARD AND ASSOCIATES. THE DESCRIPTIONS OF PARCELS IN THIS AREA, IF LAID OUT BY ACCEPTED METHODS, WOULD NOT BE IN AGREEMENT WITH LOCATION OF THE PARCELS AS LAID OUT AND IN USE AND WOULD BE IN DIRECT CONFLICT WITH THE LINES OF OCCUPATION.

DISTANCES IN THIS SECTION ARE NOT MEASURED PERPENDICULAR FROM THE LINE CALLED OUT IN THE DESCRIPTION, BUT ALONG AND PARALLEL WITH THE SOUTH AND EAST LINES OF SAID SECTION 18.

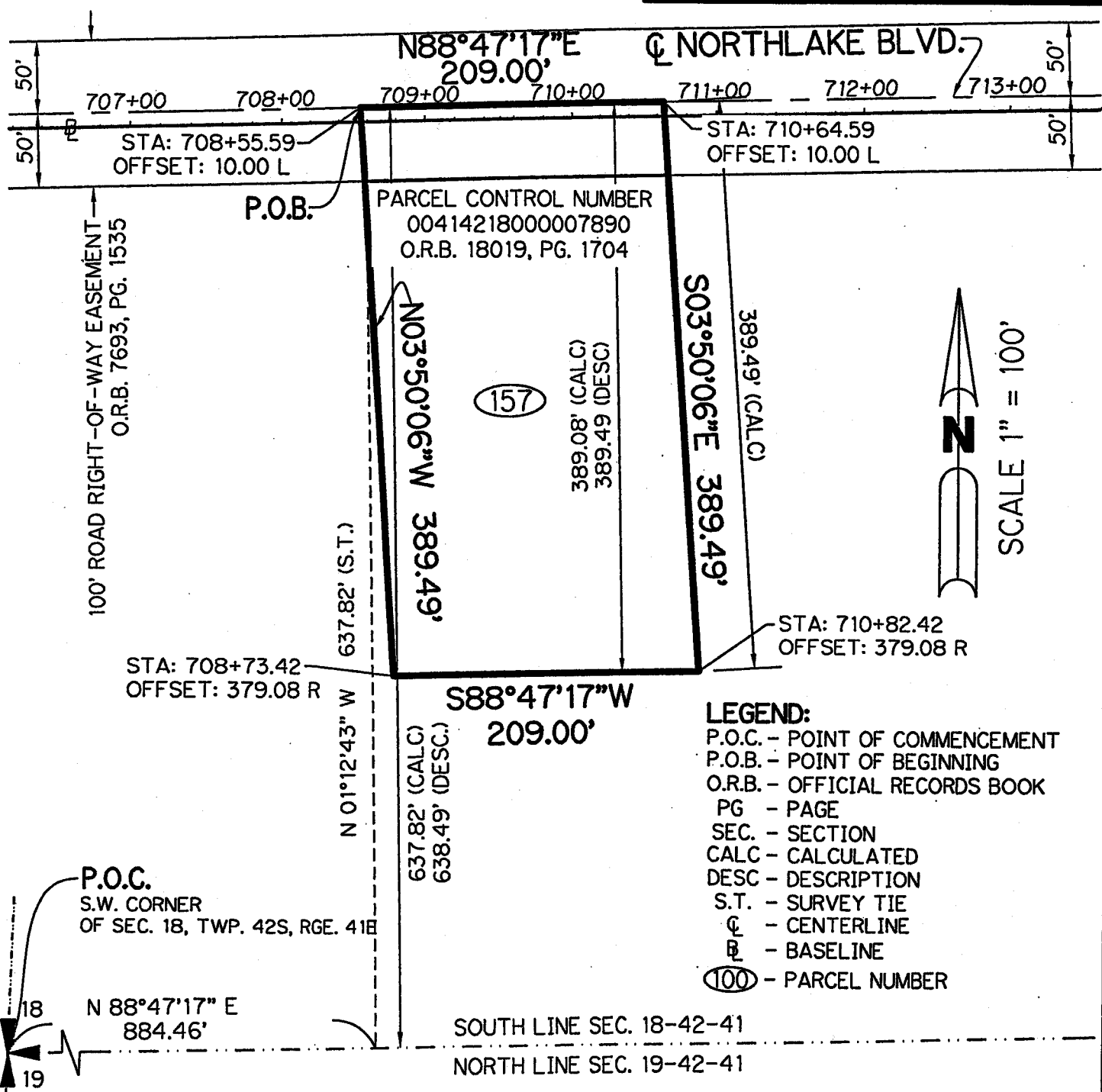
CERTIFICATION:

I HEREBY CERTIFY THAT THE DESCRIPTION AND ATTACHED SKETCH OF DESCRIPTION WERE PREPARED IN ACCORDANCE WITH THE SURVEYING STANDARDS, CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS LEGAL DESCRIPTION AND SKETCH IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.


PERRY C. WHITE
PROFESSIONAL LAND SURVEYOR AND MAPPER
LICENSE NO. 4213, STATE OF FLORIDA
DATE: 10/24/06

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON. NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SKETCH TO ACCOMPANY DESCRIPTION.
THIS IS NOT A SURVEY!



SKETCH TO ACCOMPANY DESCRIPTION.
THIS IS NOT A SURVEY!

LEGAL DESCRIPTION: PARCEL 158

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SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

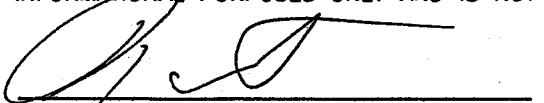
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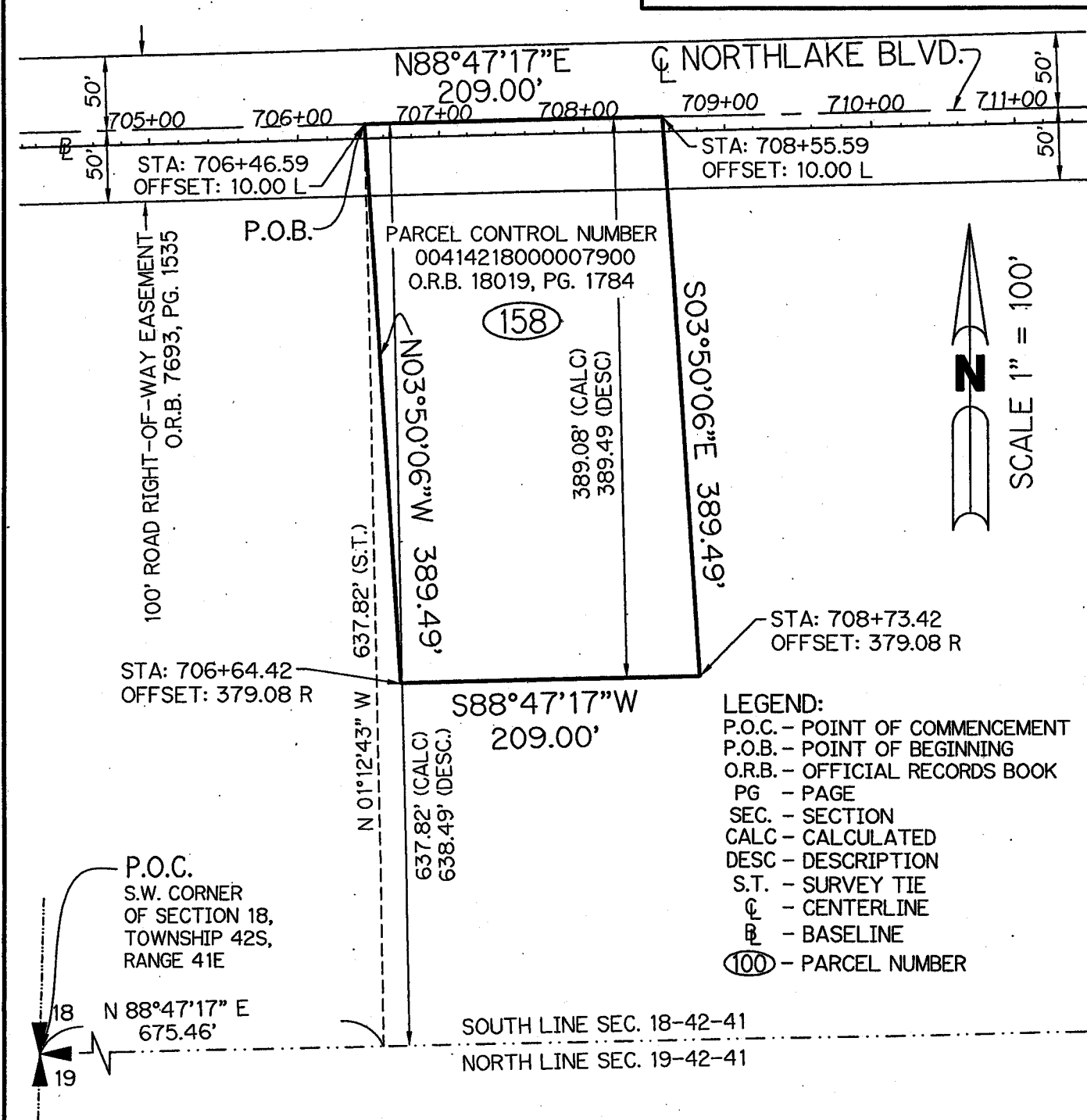
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<div>© 2006 ARCADIS G&M, INC.</div> <div> ARCADIS ARCADIS G&M, INC.</div> <div>2081 Vista Parkway West Palm Beach, Florida 33411</div> <div>Tel: (561) 697-7000 Fax: (561) 697-7751 www.arcadis-us.com</div>	LB 7062	PROJECT MANAGER PCW	DEPARTMENT MANAGER PCW	SCALE: 1" = 100'	CHECKED BY PCW	
		SHEET TITLE			DATE: 10/24/06	DRAWN BY BEJ
					PROJECT NUMBER WP00A585	DRAWING NUMBER A585SD24
		SHEET 2 OF 2				