

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>\$2,859,080</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>\$2,859,080</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 0966 Object 6120
 Program

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

Road Impact Fee Fund - Zone 3
 Northlake Blvd/E of Seminole Pratt to E of Coconut

Appraised Value - 57 Parcels \$2,859,080.00

C. Departmental Fiscal Review: R.D. Ward 6/13/07

III. REVIEW COMMENTS

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

Jim Dink 6-14-07 OFMB
John J. Jernett 6/15/07 Contract Dev. and Control
 (Handwritten notes: atn 6-13-07, (14) 6/13/07 CN, 6/12/07)

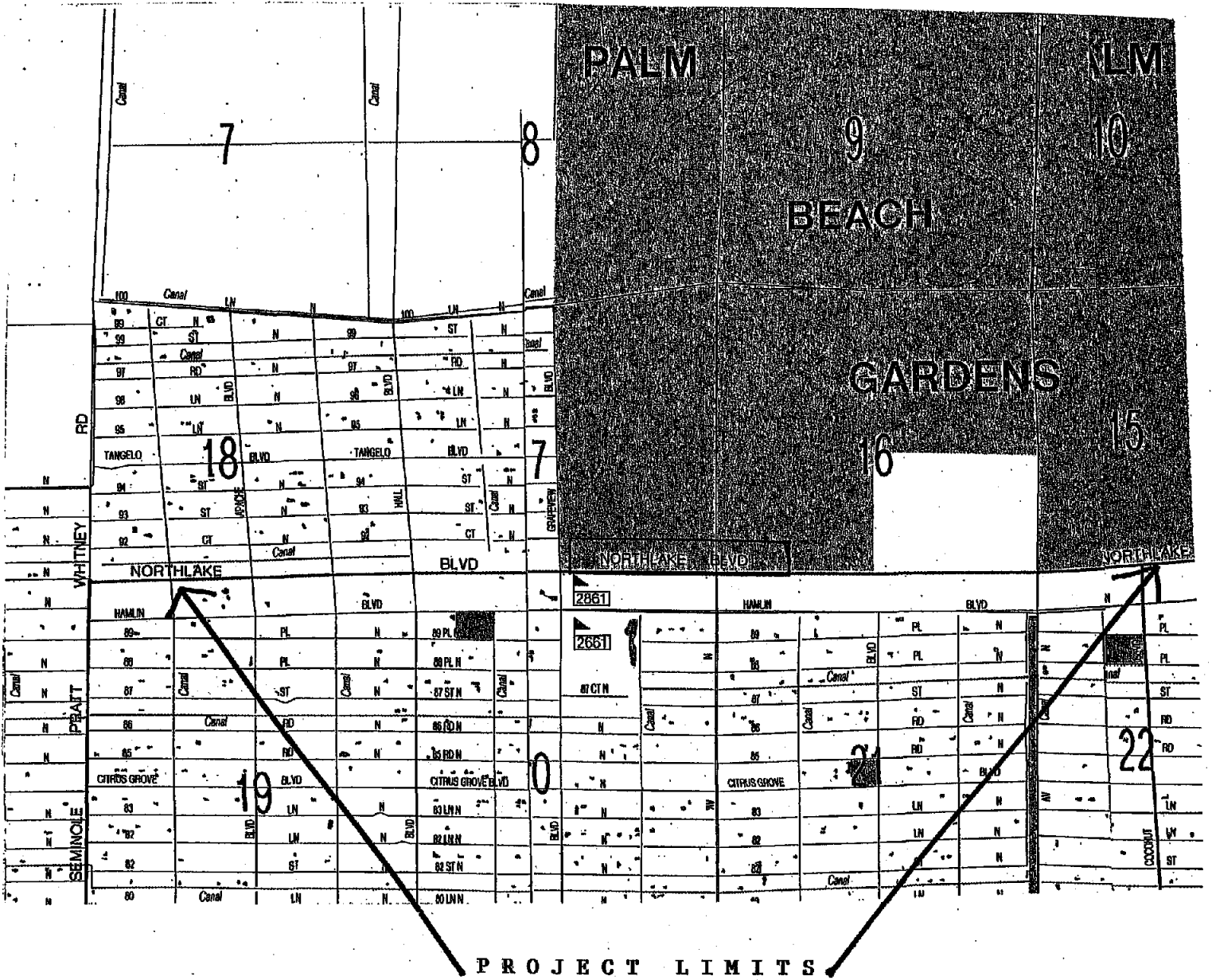
B. Approved as to Form and Legal Sufficiency:
Philip Proano
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

LOCATION MAP



RESOLUTION NO. R-2007

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 135 AS A WHOLE TAKE IN FEE SIMPLE FOR A RETENTION POND, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF NORTHLAKE BOULEVARD, FROM SEMINOLE PRATT WHITNEY ROAD TO COCONUT 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 Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, prior to determining that the acquisition of Parcel 135 as set forth in Exhibit "A" attached hereto and incorporated herein in; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 135, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 135, for the necessary Whole Take in Fee Simple for a retention pond, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, 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 law, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard; and,

WHEREAS, in order to accomplish the acquisition of this parcel the County Engineer and the County Attorney are authorized to take legal action, including the filing of eminent domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this 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 and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described in Exhibit "B", for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and County Attorney are hereby further 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 "B", and prepare 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 "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Whole take in Fee Simple for a retention 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:

ADDIE L. GREENE, CHAIRPERSON	_____
JOHN F. KOONS, VICE CHAIR	_____
KAREN T. MARCUS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____
JESS R. SANTAMARIA	_____

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2007.

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"

NORTHLAKE BOULEVARD, SEMINOLE PRATT WHITNEY ROAD TO COCONUT BOULEVARD PALM BEACH COUNTY, PROJECT NO. 2003503

SAFETY

Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard is currently a two (2) lane rural roadway. The widening of Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard as a four (4) lane divided roadway will improve the overall safety for all users of this roadway due to the construction of additional lanes and a raised landscaped median to separate vehicles traveling in opposite directions. The design of this project has been done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard, from a two (2) lane to a four (4) lane divided roadway, had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program in fiscal years 2002 through 2008. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation and to minimize the cost of the project.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Northlake Boulevard is a heavily traveled roadway, which provides one of the most direct routes for vehicles traveling in an east-west direction through the Acreage/Loxahatchee communities. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map), has for many years, defined this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

Northlake Boulevard exists along an established roadway corridor and the proposed improvements will have minimal negative impacts to the environment. Some wetland mitigation will be required and will be accomplished through an agreement with the Loxahatchee Water Catchment Area. This roadway improvement project is, or is expected to be permitted through the appropriate environmental regulatory agencies.



Below is a more detailed outline of the reasons for each type of acquisition needed for the improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard.

EASEMENT ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – SEMINOLE PRATT WHITNEY ROAD TO GRAPEVIEW BOULEVARD

In conformance to the 2030 Long Range Transportation Plan, Northlake Boulevard is to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. However, the six (6) lane ultimate section is currently proposed to be constructed within a 120 ft right-of-way.

An examination of existing conditions on Northlake Boulevard notes that the properties along the south side of Northlake Boulevard within this corridor have a considerably larger dimension in a north to south direction than those on the north side. A more fair and equitable approach would acquire 20 ft from the south side side, which is the method being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – GRAPEVIEW BOULEVARD TO COCONUT BOULEVARD

As in the above section, conformance to the 2030 Long Range Transportation Plan, requires Northlake Boulevard to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. A four (4) lane section is currently proposed to be constructed within a 120 ft right-of-way, with an ultimate six (6) lane section in 140 ft of right-of-way.

An examination of existing conditions on Northlake Boulevard within this corridor shows large masses of properties with potential for future development. Twenty (20) ft of right-of-way on the south side of Northlake Boulevard was dedicated to Palm Beach County with the development of Northlake Elementary School at Grapeview Boulevard. There is also an existing 20 ft of right-of-way on the south side of Northlake Boulevard west of Coconut Boulevard. As such, the additional 20 ft of right-of-way will be acquired from the south side of Northlake Boulevard as required for the construction of the four (4) lane section. This method is being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

EXISTING SIDE STREETS INTERSECTING WITH NORTHLAKE BOULEVARD

Widening of the existing Northlake Boulevard right-of-way is required to provide for matching of the existing intersecting side streets. To provide consistency of ownership and maintenance responsibility at these side streets, the widening in these areas will be acquired in conformance to the Northlake Boulevard right-of-way, in fee simple.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (TWO (2) PARCELS) REQUIRED FOR NORTHLAKE BOULEVARD FROM SEMINOLE PRATT WHITNEY ROAD TO ITID CANAL EAST OF HALL BOULEVARD

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, the design consultants, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in two (2) adjacent parcels being selected for the pond site, namely Parcels 102 and 103.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

NO PARCELS REQUIRED FOR NORTHLAKE BOULEVARD FROM ITID CANAL EAST OF HALL BOULEVARD TO EAST OF GRAPEVIEW BOULEVARD

As provisioned by the South Florida Water Management District (SFWMD) permit, the storm water management area (SWMA) for Northlake Elementary School was permitted to accept a portion of treated Northlake Boulevard roadway runoff. Therefore, no ponds are required in this area.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (ONE (1) PARCEL) REQUIRED FOR NORTHLAKE BOULEVARD FROM EAST OF GRAPEVIEW BOULEVARD TO EAST OF 130TH AVENUE NORTH

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in one parcel being selected for the pond site, namely Parcel 135.

EASEMENT ACQUISITIONS FOR EMBANKMENT EASEMENTS

Areas where the finished sidewalk elevation will be two (2) ft or more above or below existing grade require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk.

EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS, SLOPING & GRADING

Temporary Construction Easements (TCE's) are required (expiring after construction) adjacent to the widened right of way (or the Permanent Easements if acquired) in order to give construction vehicles access to the outside edges of the work area. In some cases these TCE's are used to regrade the existing ground to match the adjacent property, and also to prevent ponding of surface water by directing water to a proper outfall.

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 587.82 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 16, LESS THE WEST 1594.80 FEET AND LESS THE EAST 40.00 FEET THERETO.


CONTAINING 13.86 ACRES, MORE OR LESS

BEARING BASIS: N89°38'29"W ALONG THE SOUTH R/W OF NORTHLAKE BOULEVARD.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED BELOW.

ABBREVIATIONS

R/W - RIGHT-OF-WAY
ORB - OFFICIAL RECORD BOOK
PBC - PALM BEACH COUNTY
Rt - DISTANCE RIGHT OF BASELINE


ANTHONY BROWN
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4977
DATE: 4/19/07



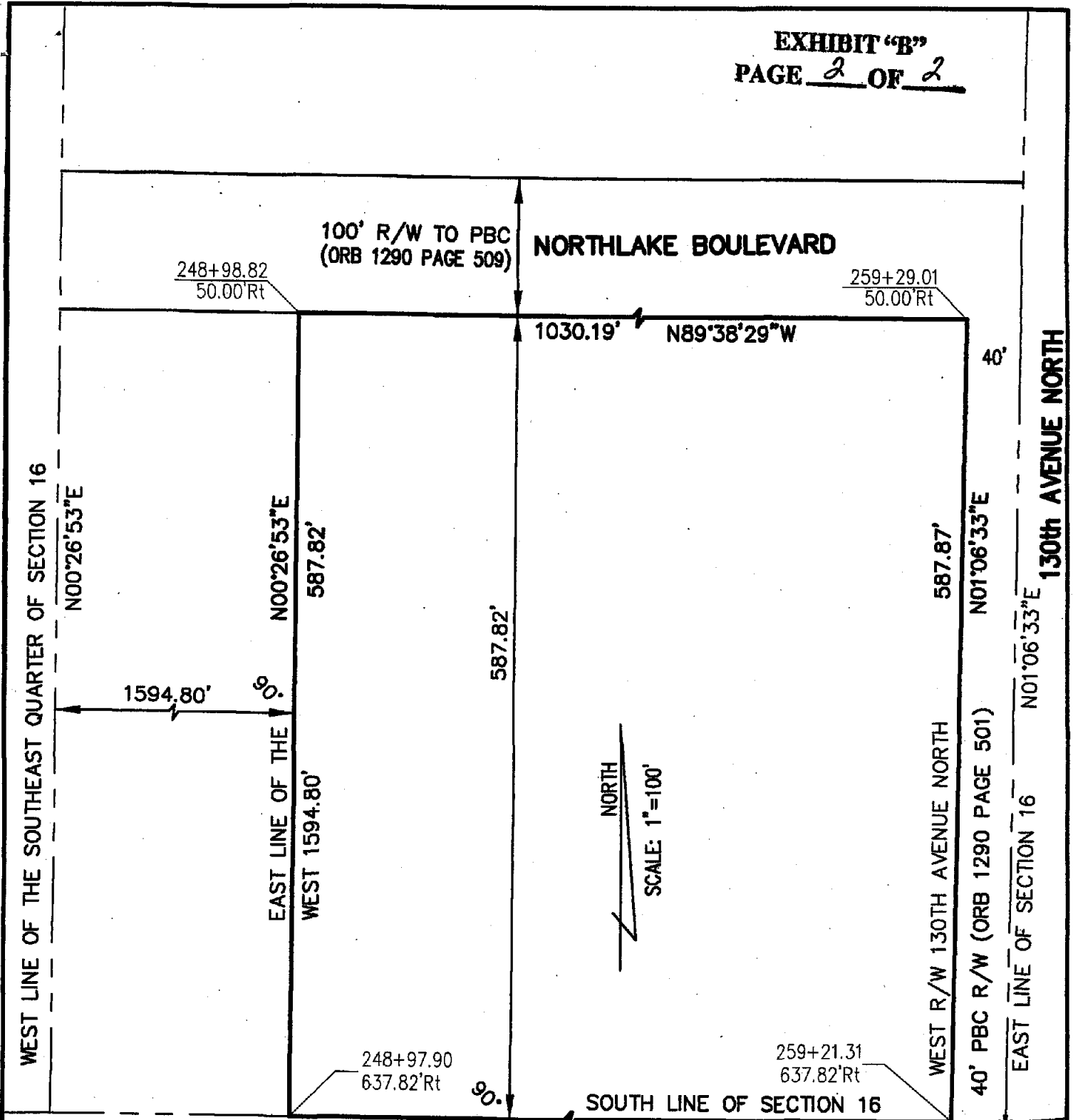
BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
(561) 615-3988, (561) 615-3986 FAX

PBC PROJECT No.2003503

LEGAL DESCRIPTION

DRAWN:	MDB	PROJ. No. 04-032
CHECKED:	TB	SCALE: NONE
DATE:	4/19/07	SHEET 1 OF 2

NORTHLAKE BOULEVARD
POND PARCEL 135



PBC PROJECT No.2003503

S.E. CORNER OF
SECTION 16
N 900805.583
E 902537.742



THIS SKETCH IS NOT A SURVEY

BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
(561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: 1"=100'
DATE: 4/19/07	SHEET 2 OF 2

NORHLAKE BOULEVARD
POND PARCEL 135

RESOLUTION NO. R-2007

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 132 AS A PARTIAL TAKE IN FEE SIMPLE, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF NORTHLAKE BOULEVARD, FROM SEMINOLE PRATT WHITNEY ROAD TO COCONUT 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 Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, prior to determining that the acquisition of Parcel 132 as set forth in Exhibit "A" attached hereto and incorporated herein in.

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 132, which is more fully described in Exhibit "B".

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 133 for the necessary Partial Take in Fee Simple, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, 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 law, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard; and

WHEREAS, in order to accomplish the acquisition of this parcel the County Engineer and the County Attorney are authorized to take legal action, including the filing of eminent domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this 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 and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and County Attorney are hereby further 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 "B", and prepare 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 "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Partial take in Fee Simple. 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:

ADDIE L. GREENE, CHAIRPERSON	_____
JOHN F. KOONS, VICE CHAIR	_____
KAREN T. MARCUS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____
JESS R. SANTAMARIA	_____

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2007.

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"

NORTHLAKE BOULEVARD, SEMINOLE PRATT WHITNEY ROAD TO COCONUT BOULEVARD PALM BEACH COUNTY, PROJECT NO. 2003503

SAFETY

Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard is currently a two (2) lane rural roadway. The widening of Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard as a four (4) lane divided roadway will improve the overall safety for all users of this roadway due to the construction of additional lanes and a raised landscaped median to separate vehicles traveling in opposite directions. The design of this project has been done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard, from a two (2) lane to a four (4) lane divided roadway, had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program in fiscal years 2002 through 2008. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation and to minimize the cost of the project.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Northlake Boulevard is a heavily traveled roadway, which provides one of the most direct routes for vehicles traveling in an east-west direction through the Acreage/Loxahatchee communities. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map), has for many years, defined this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

Northlake Boulevard exists along an established roadway corridor and the proposed improvements will have minimal negative impacts to the environment. Some wetland mitigation will be required and will be accomplished through an agreement with the Loxahatchee Water Catchment Area. This roadway improvement project is, or is expected to be permitted through the appropriate environmental regulatory agencies.



Below is a more detailed outline of the reasons for each type of acquisition needed for the improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard.

EASEMENT ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY

NORHLAKE BOULEVARD CORRIDOR – SEMINOLE PRATT WHITNEY ROAD TO GRAPEVIEW BOULEVARD

In conformance to the 2030 Long Range Transportation Plan, Northlake Boulevard is to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. However, the six (6) lane ultimate section is currently proposed to be constructed within a 120 ft right-of-way.

An examination of existing conditions on Northlake Boulevard notes that the properties along the south side of Northlake Boulevard within this corridor have a considerably larger dimension in a north to south direction than those on the north side. A more fair and equitable approach would acquire 20 ft from the south side side, which is the method being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – GRAPEVIEW BOULEVARD TO COCONUT BOULEVARD

As in the above section, conformance to the 2030 Long Range Transportation Plan, requires Northlake Boulevard to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. A four (4) lane section is currently proposed to be constructed within a 120 ft right-of-way, with an ultimate six (6) lane section in 140 ft of right-of-way.

An examination of existing conditions on Northlake Boulevard within this corridor shows large masses of properties with potential for future development. Twenty (20) ft of right-of-way on the south side of Northlake Boulevard was dedicated to Palm Beach County with the development of Northlake Elementary School at Grapeview Boulevard. There is also an existing 20 ft of right-of-way on the south side of Northlake Boulevard west of Coconut Boulevard. As such, the additional 20 ft of right-of-way will be acquired from the south side of Northlake Boulevard as required for the construction of the four (4) lane section. This method is being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

EXISTING SIDE STREETS INTERSECTING WITH NORTHLAKE BOULEVARD

Widening of the existing Northlake Boulevard right-of-way is required to provide for matching of the existing intersecting side streets. To provide consistency of ownership and maintenance responsibility at these side streets, the widening in these areas will be acquired in conformance to the Northlake Boulevard right-of-way, in fee simple.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (TWO (2) PARCELS) REQUIRED FOR NORTHLAKE BOULEVARD FROM SEMINOLE PRATT WHITNEY ROAD TO ITID CANAL EAST OF HALL BOULEVARD

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, the design consultants, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in two (2) adjacent parcels being selected for the pond site, namely Parcels 102 and 103.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

NO PARCELS REQUIRED FOR NORTHLAKE BOULEVARD FROM ITID CANAL EAST OF HALL BOULEVARD TO EAST OF GRAPEVIEW BOULEVARD

As provisioned by the South Florida Water Management District (SFWMD) permit, the storm water management area (SWMA) for Northlake Elementary School was permitted to accept a portion of treated Northlake Boulevard roadway runoff. Therefore, no ponds are required in this area.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (ONE (1) PARCEL) REQUIRED FOR NORTHLAKE BOULEVARD FROM EAST OF GRAPEVIEW BOULEVARD TO EAST OF 130TH AVENUE NORTH

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in one parcel being selected for the pond site, namely Parcel 135.

EASEMENT ACQUISITIONS FOR EMBANKMENT EASEMENTS

Areas where the finished sidewalk elevation will be two (2) ft or more above or below existing grade require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk.

EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS, SLOPING & GRADING

Temporary Construction Easements (TCE's) are required (expiring after construction) adjacent to the widened right of way (or the Permanent Easements if acquired) in order to give construction vehicles access to the outside edges of the work area. In some cases these TCE's are used to regrade the existing ground to match the adjacent property, and also to prevent ponding of surface water by directing water to a proper outfall.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 20.00 FEET, OF THE SOUTH 587.82 FEET, OF THE WEST 853.75 FEET OF
THE SAID SOUTHEAST QUARTER OF SECTION 16, LESS ALL LANDS WEST OF THE EAST
2549.00 FEET OF THE SAID SOUTHEAST QUARTER.

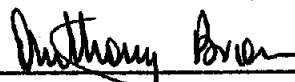
CONTAINING 14,762 SQUARE FEET, MORE OR LESS.

BEARING BASIS: S89°38'29"E ALONG THE SOUTH R/W OF NORTHLAKE BOULEVARD.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT
COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH
ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID
WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL
RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND
MAPPER NOTED BELOW.

ABBREVIATIONS

R/W - RIGHT-OF-WAY
ORB - OFFICIAL RECORD BOOK
PBC - PALM BEACH COUNTY
R - DISTANCE RIGHT OF BASELINE
L - DISTANCE LEFT OF BASELINE
ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT


ANTHONY BROWN
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4977
DATE: 2/15/06

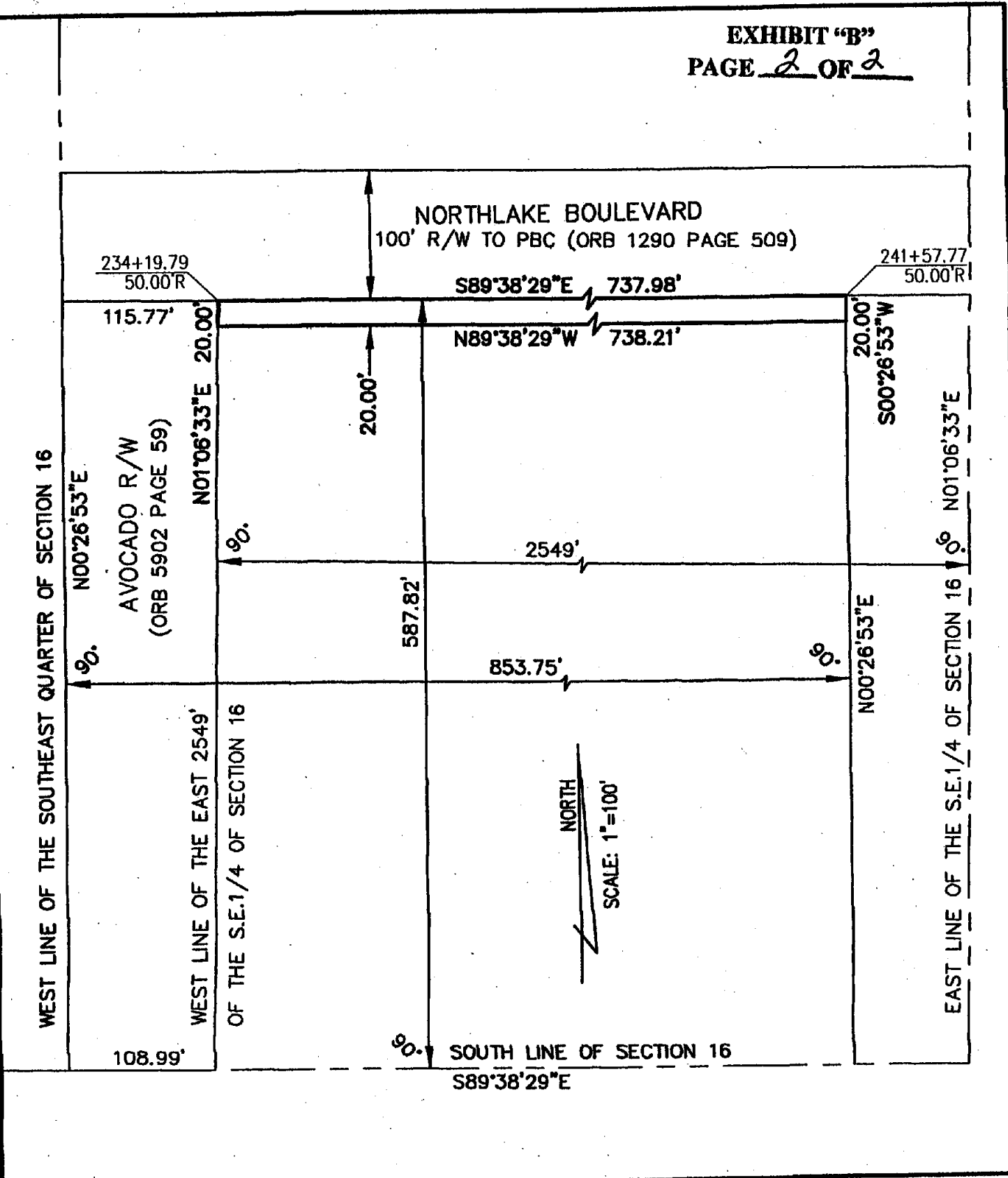


BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
(561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 8/24/05	SHEET 1 OF 2

NORTHLAKE BOULEVARD
R/W PARCEL 132



BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
(561) 615-3988, (561) 615-3986 FAX

THIS SKETCH IS NOT A SURVEY

SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: 1"=100'
DATE: 8/24/05	SHEET 2 OF 2
NORTHLAKE BOULEVARD R/W PARCEL 132	

RESOLUTION NO. R-2007

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 105 AS A PERPETUAL RIGHT-OF-WAY EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF NORTHLAKE BOULEVARD, FROM SEMINOLE PRATT WHITNEY ROAD TO COCONUT 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 Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, prior to determining that the acquisition of Parcel 105 as set forth in Exhibit "A" attached hereto and incorporated herein in; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 105, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 105 for the necessary Perpetual Right-of-Way Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, 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 law, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard; and,

WHEREAS, in order to accomplish the acquisition of this parcel the County Engineer and the County Attorney are authorized to take legal action, including the filing of eminent domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this 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 and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and County Attorney are hereby further 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 "B", and prepare 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 "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Perpetual Right-of-Way 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:

ADDIE L. GREENE, CHAIRPERSON	_____
JOHN F. KOONS, VICE CHAIR	_____
KAREN T. MARCUS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____
JESS R. SANTAMARIA	_____

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2007.

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"

NORTHLAKE BOULEVARD, SEMINOLE PRATT WHITNEY ROAD TO COCONUT BOULEVARD PALM BEACH COUNTY, PROJECT NO. 2003503

SAFETY

Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard is currently a two (2) lane rural roadway. The widening of Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard as a four (4) lane divided roadway will improve the overall safety for all users of this roadway due to the construction of additional lanes and a raised landscaped median to separate vehicles traveling in opposite directions. The design of this project has been done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard, from a two (2) lane to a four (4) lane divided roadway, had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program in fiscal years 2002 through 2008. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation and to minimize the cost of the project.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Northlake Boulevard is a heavily traveled roadway, which provides one of the most direct routes for vehicles traveling in an east-west direction through the Acreage/Loxahatchee communities. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map), has for many years, defined this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

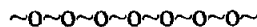
Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

Northlake Boulevard exists along an established roadway corridor and the proposed improvements will have minimal negative impacts to the environment. Some wetland mitigation will be required and will be accomplished through an agreement with the Loxahatchee Water Catchment Area. This roadway improvement project is, or is expected to be permitted through the appropriate environmental regulatory agencies.



Below is a more detailed outline of the reasons for each type of acquisition needed for the improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard.

EASEMENT ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY

NORHLAKE BOULEVARD CORRIDOR – SEMINOLE PRATT WHITNEY ROAD TO GRAPEVIEW BOULEVARD

In conformance to the 2030 Long Range Transportation Plan, Northlake Boulevard is to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. However, the six (6) lane ultimate section is currently proposed to be constructed within a 120 ft right-of-way.

An examination of existing conditions on Northlake Boulevard notes that the properties along the south side of Northlake Boulevard within this corridor have a considerably larger dimension in a north to south direction than those on the north side. A more fair and equitable approach would acquire 20 ft from the south side side, which is the method being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – GRAPEVIEW BOULEVARD TO COCONUT BOULEVARD

As in the above section, conformance to the 2030 Long Range Transportation Plan, requires Northlake Boulevard to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. A four (4) lane section is currently proposed to be constructed within a 120 ft right-of-way, with an ultimate six (6) lane section in 140 ft of right-of-way.

An examination of existing conditions on Northlake Boulevard within this corridor shows large masses of properties with potential for future development. Twenty (20) ft of right-of-way on the south side of Northlake Boulevard was dedicated to Palm Beach County with the development of Northlake Elementary School at Grapeview Boulevard. There is also an existing 20 ft of right-of-way on the south side of Northlake Boulevard west of Coconut Boulevard. As such, the additional 20 ft of right-of-way will be acquired from the south side of Northlake Boulevard as required for the construction of the four (4) lane section. This method is being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

EXISTING SIDE STREETS INTERSECTING WITH NORTHLAKE BOULEVARD

Widening of the existing Northlake Boulevard right-of-way is required to provide for matching of the existing intersecting side streets. To provide consistency of ownership and maintenance responsibility at these side streets, the widening in these areas will be acquired in conformance to the Northlake Boulevard right-of-way, in fee simple.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (TWO (2) PARCELS) REQUIRED FOR NORTHLAKE BOULEVARD FROM SEMINOLE PRATT WHITNEY ROAD TO ITID CANAL EAST OF HALL BOULEVARD

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, the design consultants, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in two (2) adjacent parcels being selected for the pond site, namely Parcels 102 and 103.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

NO PARCELS REQUIRED FOR NORTHLAKE BOULEVARD FROM ITID CANAL EAST OF HALL BOULEVARD TO EAST OF GRAPEVIEW BOULEVARD

As provisioned by the South Florida Water Management District (SFWMD) permit, the storm water management area (SWMA) for Northlake Elementary School was permitted to accept a portion of treated Northlake Boulevard roadway runoff. Therefore, no ponds are required in this area.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (ONE (1) PARCEL) REQUIRED FOR NORTHLAKE BOULEVARD FROM EAST OF GRAPEVIEW BOULEVARD TO EAST OF 130TH AVENUE NORTH

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in one parcel being selected for the pond site, namely Parcel 135.

EASEMENT ACQUISITIONS FOR EMBANKMENT EASEMENTS

Areas where the finished sidewalk elevation will be two (2) ft or more above or below existing grade require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk.

EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS, SLOPING & GRADING

Temporary Construction Easements (TCE's) are required (expiring after construction) adjacent to the widened right of way (or the Permanent Easements if acquired) in order to give construction vehicles access to the outside edges of the work area. In some cases these TCE's are used to regrade the existing ground to match the adjacent property, and also to prevent ponding of surface water by directing water to a proper outfall.

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST,
PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 20.00 FEET, OF THE NORTH 70.00 FEET,
OF THE NORTH 389.49 FEET, OF THE SOUTH 638.49 FEET,
OF THE WEST 209.00 FEET, OF THE EAST 3733.00 FEET,
OF SAID SECTION 18.

CONTAINING 4180 SQUARE FEET, MORE OR LESS.

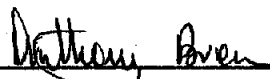
BEARING BASIS: S88°47'17"W ALONG THE SOUTH LINE OF SECTION 18.

NOTE: REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF
THE DESCRIBED DISTANCES.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT
COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH
ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID
WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL
RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND
MAPPER NOTED BELOW.

ABBREVIATIONS

R/W - RIGHT-OF-WAY
ORB - OFFICIAL RECORD BOOK
PBC - PALM BEACH COUNTY
R - DISTANCE RIGHT OF BASELINE
L - DISTANCE LEFT OF BASELINE
ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT


ANTHONY BROWN
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4977
DATE: AUG 29 2005



BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
(561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 8/24/05	SHEET 1 OF 2

NORTHLAKE BOULEVARD
RIGHT-OF-WAY EASEMENT 105

RESOLUTION NO. R-2007

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 205 AS A PERPETUAL EMBANKMENT EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF NORTHLAKE BOULEVARD, SEMINOLE PRATT WHITNEY ROAD TO COCONUT 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 Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, prior to determining that the acquisition of Parcel 205 as set forth in Exhibit "A" attached hereto and incorporated herein in; and

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 205, which is more fully described in Exhibit "B"; and

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 205 for the necessary Perpetual Embankment Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut 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, 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 law, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard; and

WHEREAS, in order to accomplish the acquisition of this parcel the County Engineer and the County Attorney are authorized to take legal action, including the filing of eminent domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this 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 and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and County Attorney are hereby further 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 "B", and prepare 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 "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" 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:

ADDIE L. GREENE, CHAIRPERSON	_____
JOHN F. KOONS, VICE CHAIR	_____
KAREN T. MARCUS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____
JESS R. SANTAMARIA	_____

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2007.

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"

NORTHLAKE BOULEVARD, SEMINOLE PRATT WHITNEY ROAD TO COCONUT BOULEVARD PALM BEACH COUNTY, PROJECT NO. 2003503

SAFETY

Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard is currently a two (2) lane rural roadway. The widening of Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard as a four (4) lane divided roadway will improve the overall safety for all users of this roadway due to the construction of additional lanes and a raised landscaped median to separate vehicles traveling in opposite directions. The design of this project has been done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard, from a two (2) lane to a four (4) lane divided roadway, had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program in fiscal years 2002 through 2008. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation and to minimize the cost of the project.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Northlake Boulevard is a heavily traveled roadway, which provides one of the most direct routes for vehicles traveling in an east-west direction through the Acreage/Loxahatchee communities. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map), has for many years, defined this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

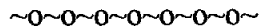
Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

Northlake Boulevard exists along an established roadway corridor and the proposed improvements will have minimal negative impacts to the environment. Some wetland mitigation will be required and will be accomplished through an agreement with the Loxahatchee Water Catchment Area. This roadway improvement project is, or is expected to be permitted through the appropriate environmental regulatory agencies.



Below is a more detailed outline of the reasons for each type of acquisition needed for the improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard.

EASEMENT ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – SEMINOLE PRATT WHITNEY ROAD TO GRAPEVIEW BOULEVARD

In conformance to the 2030 Long Range Transportation Plan, Northlake Boulevard is to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. However, the six (6) lane ultimate section is currently proposed to be constructed within a 120 ft right-of-way.

An examination of existing conditions on Northlake Boulevard notes that the properties along the south side of Northlake Boulevard within this corridor have a considerably larger dimension in a north to south direction than those on the north side. A more fair and equitable approach would acquire 20 ft from the south side side, which is the method being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

NORHLAKE BOULEVARD CORRIDOR – GRAPEVIEW BOULEVARD TO COCONUT BOULEVARD

As in the above section, conformance to the 2030 Long Range Transportation Plan, requires Northlake Boulevard to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. A four (4) lane section is currently proposed to be constructed within a 120 ft right-of-way, with an ultimate six (6) lane section in 140 ft of right-of-way.

An examination of existing conditions on Northlake Boulevard within this corridor shows large masses of properties with potential for future development. Twenty (20) ft of right-of-way on the south side of Northlake Boulevard was dedicated to Palm Beach County with the development of Northlake Elementary School at Grapeview Boulevard. There is also an existing 20 ft of right-of-way on the south side of Northlake Boulevard west of Coconut Boulevard. As such, the additional 20 ft of right-of-way will be acquired from the south side of Northlake Boulevard as required for the construction of the four (4) lane section. This method is being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

EXISTING SIDE STREETS INTERSECTING WITH NORHLAKE BOULEVARD

Widening of the existing Northlake Boulevard right-of-way is required to provide for matching of the existing intersecting side streets. To provide consistency of ownership and maintenance responsibility at these side streets, the widening in these areas will be acquired in conformance to the Northlake Boulevard right-of-way, in fee simple.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (TWO (2) PARCELS) REQUIRED FOR NORHLAKE BOULEVARD FROM SEMINOLE PRATT WHITNEY ROAD TO ITID CANAL EAST OF HALL BOULEVARD

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, the design consultants, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in two (2) adjacent parcels being selected for the pond site, namely Parcels 102 and 103.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

NO PARCELS REQUIRED FOR NORTHLAKE BOULEVARD FROM ITID CANAL EAST OF HALL BOULEVARD TO EAST OF GRAPEVIEW BOULEVARD

As provisioned by the South Florida Water Management District (SFWMD) permit, the storm water management area (SWMA) for Northlake Elementary School was permitted to accept a portion of treated Northlake Boulevard roadway runoff. Therefore, no ponds are required in this area.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (ONE (1) PARCEL) REQUIRED FOR NORTHLAKE BOULEVARD FROM EAST OF GRAPEVIEW BOULEVARD TO EAST OF 130TH AVENUE NORTH

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in one parcel being selected for the pond site, namely Parcel 135.

EASEMENT ACQUISITIONS FOR EMBANKMENT EASEMENTS

Areas where the finished sidewalk elevation will be two (2) ft or more above or below existing grade require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk.

EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS, SLOPING & GRADING

Temporary Construction Easements (TCE's) are required (expiring after construction) adjacent to the widened right of way (or the Permanent Easements if acquired) in order to give construction vehicles access to the outside edges of the work area. In some cases these TCE's are used to regrade the existing ground to match the adjacent property, and also to prevent ponding of surface water by directing water to a proper outfall.

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 10.00 FEET, OF THE NORTH 80.00 FEET, OF THE SOUTH 638.49 FEET, OF THE WEST 209.00 FEET, OF THE EAST 3733.00 FEET OF SAID SECTION 18.

CONTAINING 2090 SQUARE FEET, MORE OR LESS.

BEARING BASIS: N88°47'17"E ALONG THE SOUTH LINE OF SECTION 18.

NOTE: REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED BELOW.

ABBREVIATIONS

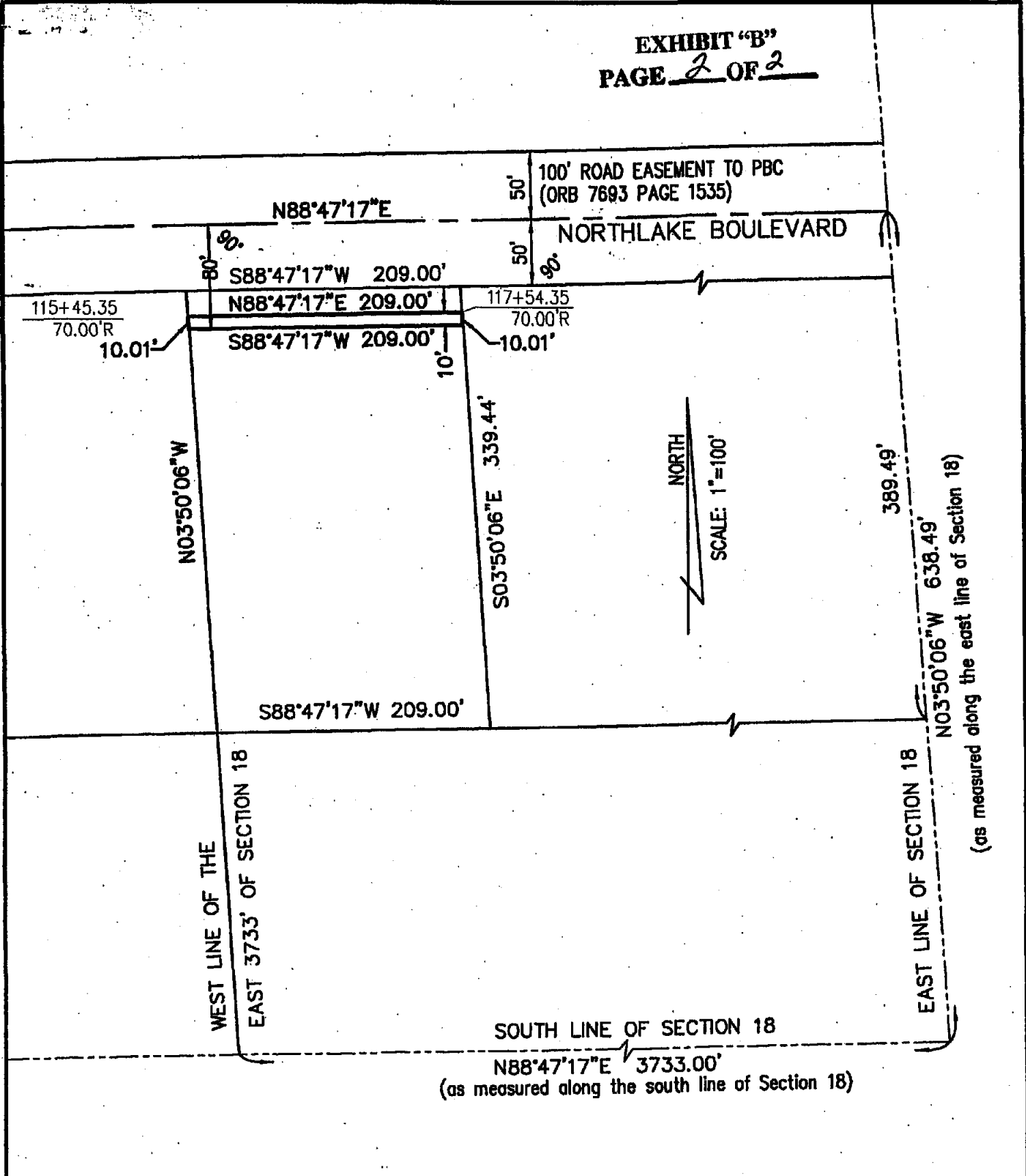
- EE - EMBANKMENT EASEMENT
- R/W - RIGHT-OF-WAY
- ORB - OFFICIAL RECORD BOOK
- PBC - PALM BEACH COUNTY
- R - DISTANCE RIGHT OF BASELINE
- L - DISTANCE LEFT OF BASELINE
- ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT

Anthony Brown
 ANTHONY BROWN
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4977
 DATE: 12/15/05

BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION	
DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 12/12/05	SHEET 1 OF 2
NORTHLAKE BOULEVARD EMBANKMENT EASEMENT 205	

EXHIBIT "B"
PAGE 2 OF 2



B BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
(561) 615-3988, (561) 615-3986 FAX

THIS SKETCH IS NOT A SURVEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DRAWN:	MDB	PROJ. No. 04-032
CHECKED:	TB	SCALE: 1"=100'
DATE:	12/12/05	SHEET 2 OF 2
NORHLAKE BOULEVARD EMBANKMENT EASEMENT 205		

RESOLUTION NO. R-2007

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF A PROPERTY KNOWN AS PARCEL 305 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF NORTHLAKE BOULEVARD, FROM EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF COCONUT 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 Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Coconut 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, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, prior to determining that the acquisition of Parcel 305 as set forth on Exhibit "A" attached hereto and incorporated herein in; and

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 305, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 305 for the necessary Temporary Construction Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Coconut 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, 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 law, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Coconut Boulevard; and,

WHEREAS, in order to accomplish the acquisition of this parcel the County Engineer and the County Attorney are authorized to take legal action, including the filing of eminent domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this 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 and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of value of the property described on Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and County Attorney are hereby further 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 "B", and prepare 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 "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" 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:

ADDIE L. GREENE, CHAIRPERSON	_____
JOHN F. KOONS, VICE CHAIR	_____
KAREN T. MARCUS	_____
WARREN H. NEWELL	_____
MARY McCARTY	_____
BURT AARONSON	_____
JESS R. SANTAMARIA	_____

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2007.

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"

NORTHLAKE BOULEVARD, SEMINOLE PRATT WHITNEY ROAD TO COCONUT BOULEVARD PALM BEACH COUNTY, PROJECT NO. 2003503

SAFETY

Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard is currently a two (2) lane rural roadway. The widening of Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard as a four (4) lane divided roadway will improve the overall safety for all users of this roadway due to the construction of additional lanes and a raised landscaped median to separate vehicles traveling in opposite directions. The design of this project has been done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving Northlake Boulevard from Seminole Pratt Whitney Road to Coconut Boulevard, from a two (2) lane to a four (4) lane divided roadway, had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program in fiscal years 2002 through 2008. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation and to minimize the cost of the project.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Northlake Boulevard is a heavily traveled roadway, which provides one of the most direct routes for vehicles traveling in an east-west direction through the Acreage/Loxahatchee communities. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map), has for many years, defined this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

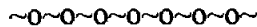
Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

Northlake Boulevard exists along an established roadway corridor and the proposed improvements will have minimal negative impacts to the environment. Some wetland mitigation will be required and will be accomplished through an agreement with the Loxahatchee Water Catchment Area. This roadway improvement project is, or is expected to be permitted through the appropriate environmental regulatory agencies.



Below is a more detailed outline of the reasons for each type of acquisition needed for the improvement of Northlake Boulevard, from Seminole Pratt Whitney Road to Coconut Boulevard.

EASEMENT ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – SEMINOLE PRATT WHITNEY ROAD TO GRAPEVIEW BOULEVARD

In conformance to the 2030 Long Range Transportation Plan, Northlake Boulevard is to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. However, the six (6) lane ultimate section is currently proposed to be constructed within a 120 ft right-of-way.

An examination of existing conditions on Northlake Boulevard notes that the properties along the south side of Northlake Boulevard within this corridor have a considerably larger dimension in a north to south direction than those on the north side. A more fair and equitable approach would acquire 20 ft from the south side side, which is the method being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

NORTHLAKE BOULEVARD CORRIDOR – GRAPEVIEW BOULEVARD TO COCONUT BOULEVARD

As in the above section, conformance to the 2030 Long Range Transportation Plan, requires Northlake Boulevard to be reconstructed to provide four (4) lanes of an ultimate six (6) lane section. The Comprehensive Plan requires that 140 ft be available for construction, ultimately requiring an additional 40 ft of right-of-way. A four (4) lane section is currently proposed to be constructed within a 120 ft right-of-way, with an ultimate six (6) lane section in 140 ft of right-of-way.

An examination of existing conditions on Northlake Boulevard within this corridor shows large masses of properties with potential for future development. Twenty (20) ft of right-of-way on the south side of Northlake Boulevard was dedicated to Palm Beach County with the development of Northlake Elementary School at Grapeview Boulevard. There is also an existing 20 ft of right-of-way on the south side of Northlake Boulevard west of Coconut Boulevard. As such, the additional 20 ft of right-of-way will be acquired from the south side of Northlake Boulevard as required for the construction of the four (4) lane section. This method is being followed for acquisition of parcels along this corridor.

FEE ACQUISITION FOR ADDITIONAL RIGHT OF WAY

EXISTING SIDE STREETS INTERSECTING WITH NORTHLAKE BOULEVARD

Widening of the existing Northlake Boulevard right-of-way is required to provide for matching of the existing intersecting side streets. To provide consistency of ownership and maintenance responsibility at these side streets, the widening in these areas will be acquired in conformance to the Northlake Boulevard right-of-way, in fee simple.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (TWO (2) PARCELS) REQUIRED FOR NORTHLAKE BOULEVARD FROM SEMINOLE PRATT WHITNEY ROAD TO ITID CANAL EAST OF HALL BOULEVARD

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, the design consultants, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in two (2) adjacent parcels being selected for the pond site, namely Parcels 102 and 103.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

NO PARCELS REQUIRED FOR NORTHLAKE BOULEVARD FROM ITID CANAL EAST OF HALL BOULEVARD TO EAST OF GRAPEVIEW BOULEVARD

As provisioned by the South Florida Water Management District (SFWMD) permit, the storm water management area (SWMA) for Northlake Elementary School was permitted to accept a portion of treated Northlake Boulevard roadway runoff. Therefore, no ponds are required in this area.

FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS

ONE (1) POND SITE (ONE (1) PARCEL) REQUIRED FOR NORTHLAKE BOULEVARD FROM EAST OF GRAPEVIEW BOULEVARD TO EAST OF 130TH AVENUE NORTH

In accordance with the Pond Siting Report and Drainage Report prepared by Metric Engineering, it was determined that the construction of one (1) pond was the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (acquisition and construction costs) in the area resulted in one parcel being selected for the pond site, namely Parcel 135.

EASEMENT ACQUISITIONS FOR EMBANKMENT EASEMENTS

Areas where the finished sidewalk elevation will be two (2) ft or more above or below existing grade require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk.

EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS, SLOPING & GRADING

Temporary Construction Easements (TCE's) are required (expiring after construction) adjacent to the widened right of way (or the Permanent Easements if acquired) in order to give construction vehicles access to the outside edges of the work area. In some cases these TCE's are used to regrade the existing ground to match the adjacent property, and also to prevent ponding of surface water by directing water to a proper outfall.

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 638.49 FEET OF SAID SECTION 18 (as measured along the east line of said Section 18), WITH THE WEST LINE OF THE EAST 3733.00 FEET OF SAID SECTION 18 (as measured along the south line of said Section 18);
 THENCE ALONG SAID WEST LINE, PARALLEL WITH THE EAST LINE OF SAID SECTION 18, S03°50'06"E FOR 80.08 FEET TO A LINE LYING 80.00 FEET SOUTH OF (measured perpendicular), AND PARALLEL WITH, THE SAID NORTH LINE OF THE SOUTH 638.49 FEET OF SAID SECTION 18, AND THE POINT OF BEGINNING;
 THENCE CONTINUE S03°50'06"E FOR 15.02 FEET TO A LINE LYING 95.00 FEET SOUTH OF, (measured perpendicular), AND PARALLEL WITH, THE SAID NORTH LINE OF THE SOUTH 638.49 FEET OF SAID SECTION 18;
 THENCE ALONG SAID PARALLEL LINE, N88°47'17"E FOR 36.22 FEET;
 THENCE N01°12'43"W FOR 15.00 FEET;
 THENCE S88°47'17"W FOR 36.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 548 SQUARE FEET, MORE OR LESS.

BEARING BASIS: N88°47'17"E ALONG THE SOUTH LINE OF SECTION 18.

NOTE: REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

ABBREVIATIONS

- POC - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING
- R/W - RIGHT-OF-WAY
- ORB - OFFICIAL RECORD BOOK
- PBC - PALM BEACH COUNTY
- R - DISTANCE RIGHT OF BASELINE
- L - DISTANCE LEFT OF BASELINE
- ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- TCE - TEMPORARY CONSTRUCTION EASEMENT

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Anthony Brown
 ANTHONY BROWN
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4977
 DATE: 2/15/06

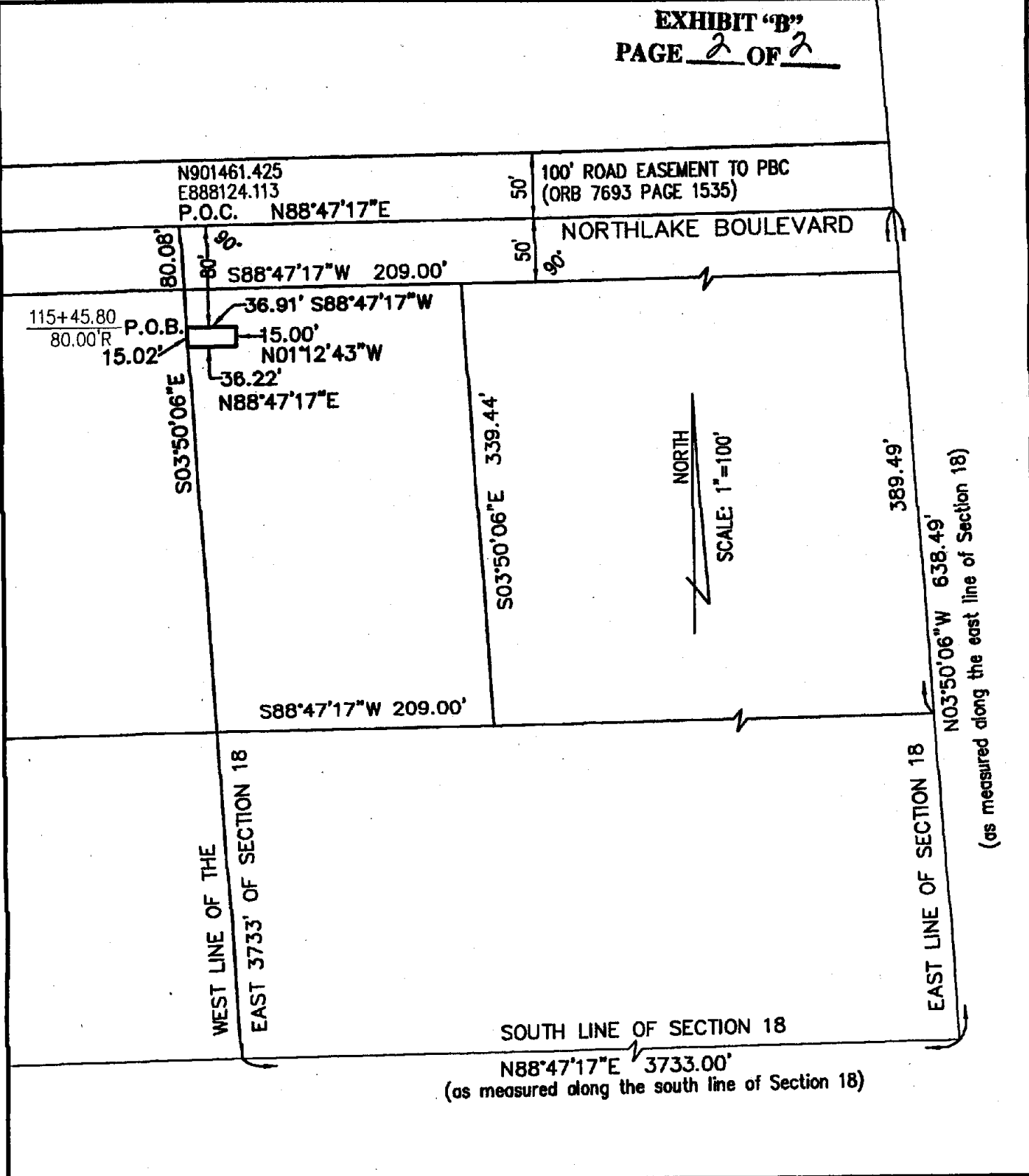


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LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 2/10/06	SHEET 1 OF 2
NORTHLAKE BOULEVARD TCE 305	

EXHIBIT "B"
PAGE 2 OF 2



SOUTH LINE OF SECTION 18
N88°47'17"E 3733.00'
(as measured along the south line of Section 18)

WEST LINE OF THE
EAST 3733' OF SECTION 18

EAST LINE OF SECTION 18
N03°50'06"W 638.49'
(as measured along the east line of Section 18)

B BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
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THIS SKETCH IS NOT A SURVEY

SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

DRAWN:	MDB	PROJ. No. 04-032
CHECKED:	TB	SCALE: 1"=100'
DATE:	2/10/06	SHEET 2 OF 2
NORTHLAKE BOULEVARD TCE 305		