



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>\$75,050</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>
<b>NET FISCAL IMPACT</b>	<b><u>\$75,050</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>

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

Is Item Included in Current Budget? Yes X No      
Budget Acct No.: Fund 3503 Dept. 361 Unit 0728 Object 6120.  
Program

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

Road Impact Fee Fund - Zone 3  
Seminole Pratt/Orange Blvd to Northlake

Appraised Value - Parcel 205	\$ 7,000.00
- Parcel 207	\$ 7,000.00
- Parcel 225	\$14,500.00
- Parcel 252	\$ 7,500.00
- Parcel 255	\$17,900.00
- Parcel 256	\$21,000.00
Total Appraised Values	\$74,900.00
Clerk's Fee	\$ 150.00
Fiscal Impact	\$75,050.00

C. Departmental Fiscal Review: R. D. Ward +16/08

**III. REVIEW COMMENTS**

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

atwillhite 5.5.08  
OFMB SN 5/5/08 CN 4/20/08

Jan. J. Javel 5/5/08  
Contract Dev. and Control

**B. Approved as to Form and legal Sufficiency:**

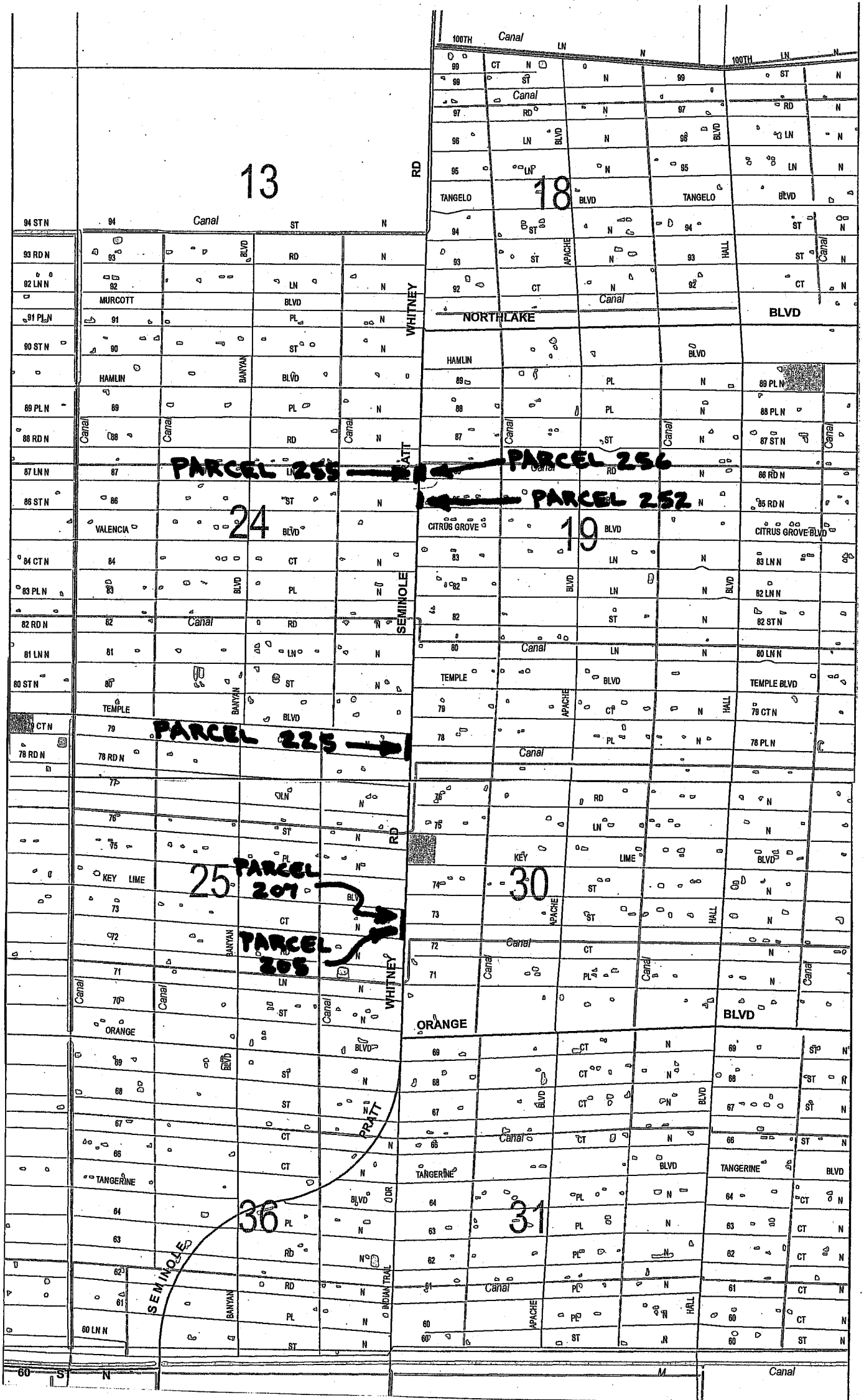
[Signature]  
Assistant County Attorney

**C. Other Department Review:**

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

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

# LOCATION MAP



**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 205 AS AN EMBANKMENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO SOUTH OF NORTHLAKE BOULEVARD PROJECT 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 improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of the Parcel designated as Parcel 205 as an Embankment Easement acquisition; and,

**WHEREAS**, the property owner has not accepted the offer to purchase made by Palm Beach County; 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, 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 Embankment Easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake 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 construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

**WHEREAS**, in order to accomplish the acquisition of Parcel 205 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:**

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose; an Embankment Easement necessary for the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard.

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	_____
Robert J. Kanjian	_____
Mary McCarty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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"

1 of 2

A PARCEL OF LAND IN SECTION 25, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 11.00 FEET, OF THE EAST 71.00 FEET, OF THE NORTH 243.00 FEET, OF THE SOUTH 2257.00 FEET, OF SAID SECTION 25. LESS THE SOUTH 30.00 FEET THEREOF.

CONTAINING 2,339 SQUARE FEET, MORE OR LESS.

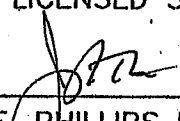
BEARING BASIS: N00°03'56"E ALONG THE WEST LINE OF SECTION 25.


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

- P.O.B.— POINT OF BEGINNING
- P.O.C.— POINT OF COMMENCEMENT
- R/W — RIGHT-OF-WAY
- ORB — OFFICIAL RECORD BOOK
- TCE — TEMPORARY CONSTRUCTION EASEMENT
- PE — PERMANENT EASEMENT
- 'L — DISTANCE LEFT OF CENTERLINE
- R.D.E. — ROAD AND DRAINAGE EASEMENT

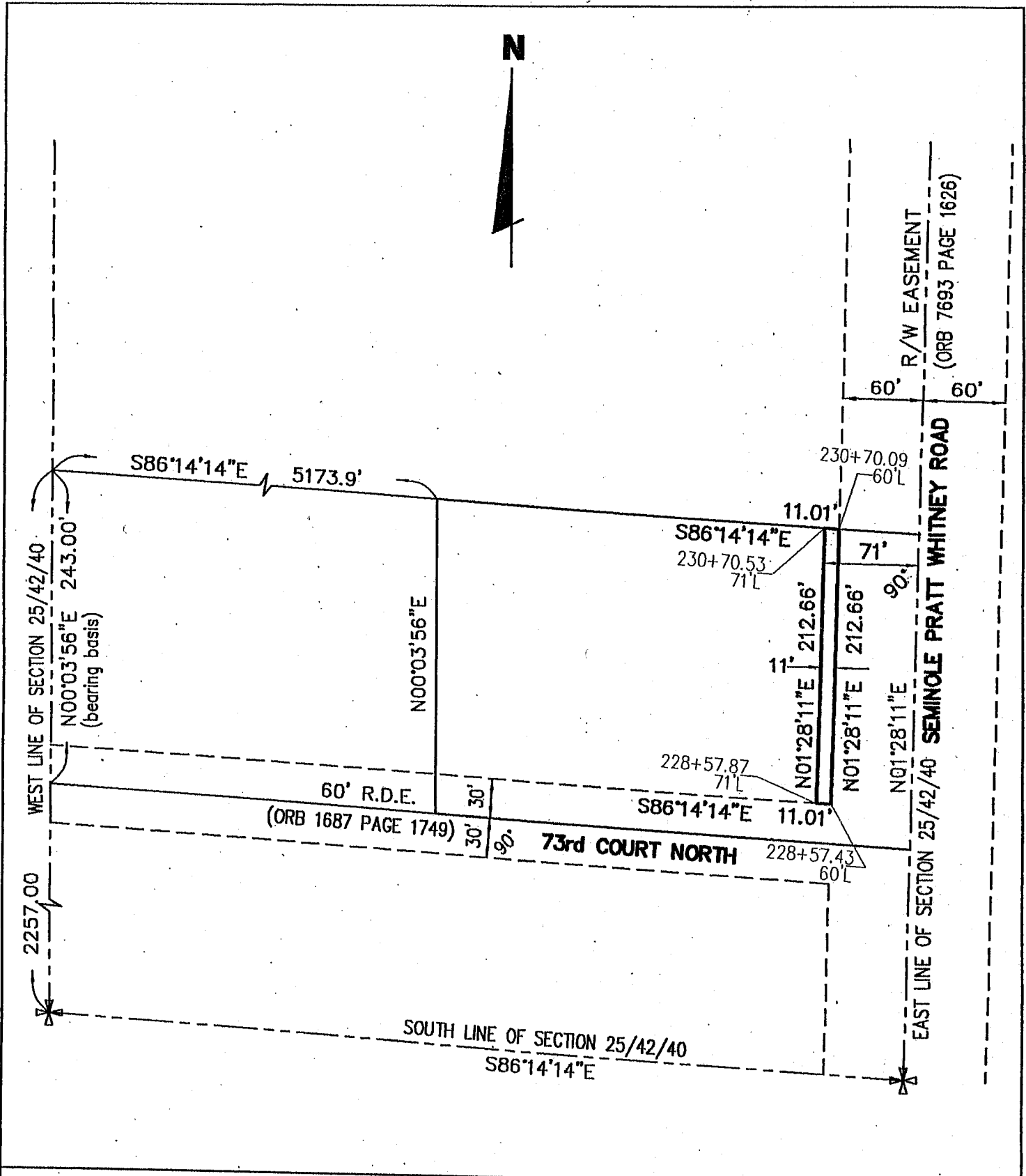
  
\_\_\_\_\_  
JOHN E. PHILLIPS III  
PROFESSIONAL LAND SURVEYOR  
STATE OF FLORIDA No. 4826  
DATE: APR 03 2007

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

LEGAL DESCRIPTION	
SEMINOLE PRATT WHITNEY ROAD PALM BEACH COUNTY PROJECT No.1997511D	
DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: NONE
PE No. 205	DATE: 2/5/07
	SHEET 1 OF 2

EXHIBIT "A"

2 of 2



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

SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

SKETCH TO ACCOMPANY  
 LEGAL DESCRIPTION

THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: 1" = 100'
EE No. 205	DATE: 2/5/07
	SHEET 2 OF 2

**EXHIBIT "B"**

**1 OF 3**

**SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO  
SOUTH OF NORTHLAKE BOULEVARD**

**PALM BEACH COUNTY, PROJECT #97511D**

**SAFETY**

Seminole Pratt Whitney Road is currently a two (2) lane rural roadway. The widening of Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard as a four (4) lane (ultimate 6 lane) divided roadway will improve the overall safety for all users of this roadway, due to the construction of a raised and 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake 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 and right-of-way acquisition was budgeted in the County's Five Year Road program in fiscal years 1997 through 2009. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of 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**

Seminole Pratt Whitney Road is a heavily-traveled roadway, which provides the most direct route for vehicles traveling in a north-south direction through the heart of 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.



**EXHIBIT "B"**

**2 OF 3**

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan, which requires a 120 ft. wide right-of-way for an ultimate 6-lane roadway. 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**

Seminole Pratt Whitney Road exists along an established roadway corridor, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard.

**FEE ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY**

In conformance to the 2030 Long Range Transportation Plan, Seminole Pratt Whitney Rd is to be reconstructed to provide 4 lanes of an ultimate 6 lane section. The Comprehensive Plan requires that 120 ft be available for construction, which is today provided. In order to properly design for entering & exiting traffic at the intersecting side streets, some intersections require the purchase of additional Right of Way to provide Safe Sight Corners.

**FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS**

**3 POND SITES (7 PARCELS) ARE REQUIRED FROM ORANGE BLVD TO SOUTH OF NORTHLAKE BLVD)**

In accordance with the Pond Siting Report prepared by KF Group through August 2005, it was determined that three separate ponds were the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (including acquisition and construction costs) in the area resulted in seven parcels being selected to comprise the pond sites.

**EXHIBIT "B"**

**3 OF 3**

**EASEMENT ACQUISITIONS FOR PERMANENT EASEMENTS**

Areas where the finished sidewalk elevation will be 2 ft or more above or below existing ground elevation require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk. In cases where surface water ponding could occur, it might require the placement of drainage structures within the permanent easements to convey that ponding water into the roadway drainage system or to adjacent canals.

**EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS,  
SLOPING & GRADING**

Temporary easements are required (expiring after construction) adjacent to the widened right of way (or adjacent to 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 also used to regrade the existing ground to prevent ponding of surface water and to direct it to a proper outfall.

Due to the lack of time pressure for the construction of this segment of roadway, Temporary Construction Easements are not being sought at this time.

RESOLUTION NO. R-2008-

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 207 AS AN EMBANKMENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO SOUTH OF NORTHLAKE BOULEVARD PROJECT 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 improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of the Parcel designated as Parcel 207 as an Embankment Easement acquisition; and,

**WHEREAS**, the property owner has not accepted the offer to purchase made by Palm Beach County; 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, 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 207 for the necessary Embankment Easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake 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 construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

**WHEREAS**, in order to accomplish the acquisition of Parcel 207 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:**

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose; an Embankment Easement necessary for the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard.

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	_____
Robert J. Kanjian	_____
Mary McCarty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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"

1 of 2

A PARCEL OF LAND IN SECTION 25, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 11.00 FEET, OF THE EAST 71.00 FEET, OF THE NORTH 243.00 FEET, OF THE SOUTH 2500.00 FEET, OF SAID SECTION 25. LESS THE NORTH 30.00 FEET THEREOF.

CONTAINING 2,339 SQUARE FEET, MORE OR LESS.

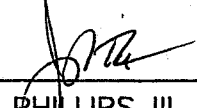
BEARING BASIS: N00°03'56"E ALONG THE WEST LINE OF SECTION 25.

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

- P.O.B.— POINT OF BEGINNING
- P.O.C.— POINT OF COMMENCEMENT
- R/W — RIGHT-OF-WAY
- ORB — OFFICIAL RECORD BOOK
- TCE — TEMPORARY CONSTRUCTION EASEMENT
- PE — PERMANENT EASEMENT
- 'L — DISTANCE LEFT OF CENTERLINE
- R.D.E. — ROAD AND DRAINAGE EASEMENT



---

JOHN E. PHILLIPS III  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF FLORIDA No. 4826  
 DATE: APR 03 2007



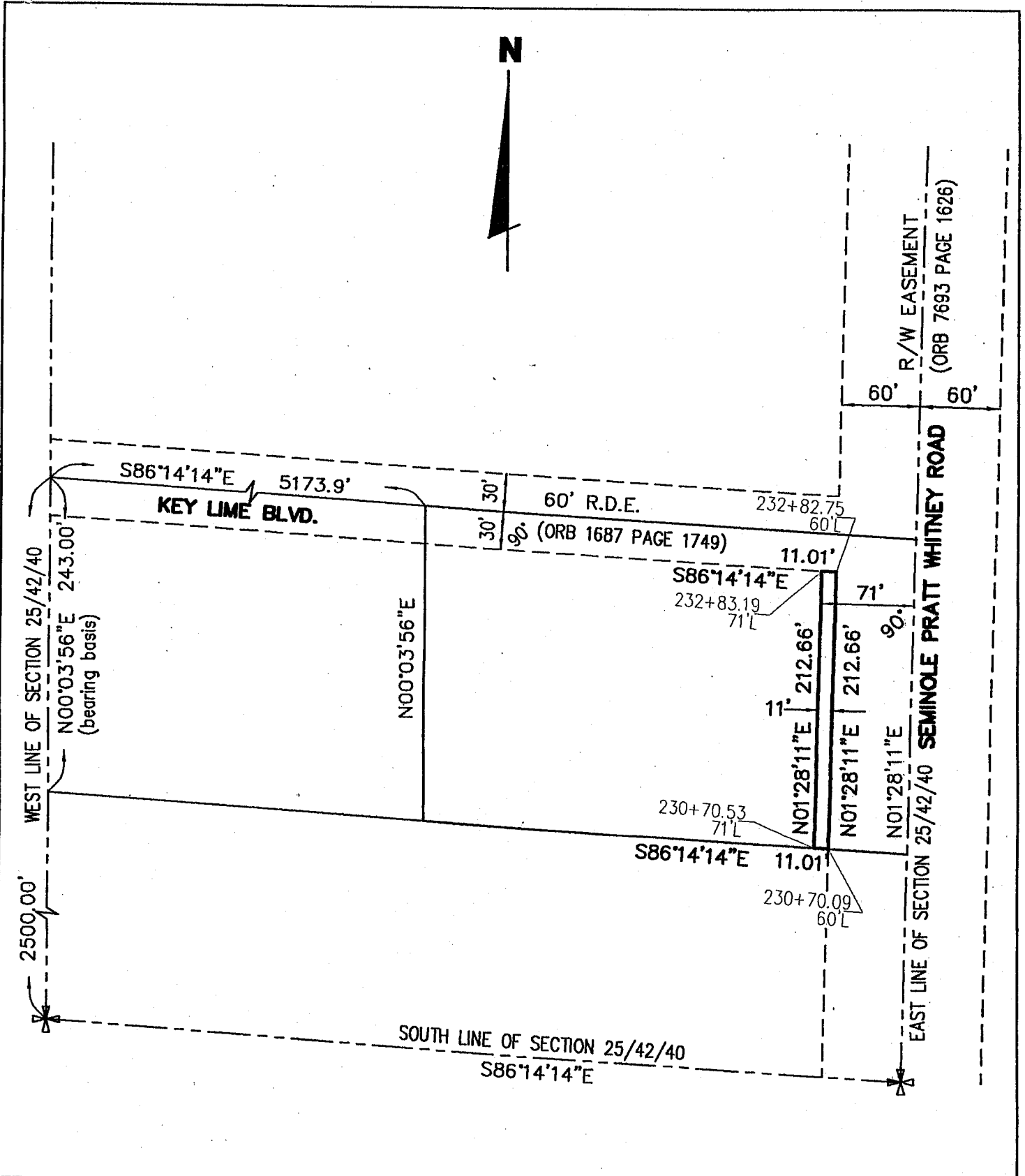
**BROWN & PHILLIPS, INC.**  
 PROFESSIONAL SURVEYING SERVICES  
 CERTIFICATE OF AUTHORIZATION # LB 6473  
 901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407  
 (561) 615-3988, (561) 615-3986 FAX

**LEGAL DESCRIPTION**  
 SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: NONE
EE No. 207	DATE: 1/15/07
	SHEET 1 OF 2

EXHIBIT "A"

2 of 2



SEMINOLE PRATT WHITNEY ROAD  
PALM BEACH COUNTY PROJECT No.1997511D

**BROWN & PHILLIPS, INC.**

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473  
901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407  
(561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION

THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: 1" = 100'
EE No. 207	DATE: 1/15/07
	SHEET 2 OF 2

**EXHIBIT "B"**

**1 OF 3**

**SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO  
SOUTH OF NORTHLAKE BOULEVARD**

**PALM BEACH COUNTY, PROJECT #97511D**

**SAFETY**

Seminole Pratt Whitney Road is currently a two (2) lane rural roadway. The widening of Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard as a four (4) lane (ultimate 6 lane) divided roadway will improve the overall safety for all users of this roadway, due to the construction of a raised and 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake 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 and right-of-way acquisition was budgeted in the County's Five Year Road program in fiscal years 1997 through 2009. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of 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**

Seminole Pratt Whitney Road is a heavily traveled roadway, which provides the most direct route for vehicles traveling in a north-south direction through the heart of 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.

**EXHIBIT "B"**  
**2 OF 3**

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan, which requires a 120 ft. wide right-of-way for an ultimate 6-lane roadway. 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**

Seminole Pratt Whitney Road exists along an established roadway corridor, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard.

**FEE ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY**

In conformance to the 2030 Long Range Transportation Plan, Seminole Pratt Whitney Rd is to be reconstructed to provide 4 lanes of an ultimate 6 lane section. The Comprehensive Plan requires that 120 ft be available for construction, which is today provided. In order to properly design for entering & exiting traffic at the intersecting side streets, some intersections require the purchase of additional Right of Way to provide Safe Sight Corners.

**FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS**

**3 POND SITES (7 PARCELS) ARE REQUIRED FROM ORANGE BLVD TO SOUTH OF NORTHLAKE BLVD)**

In accordance with the Pond Siting Report prepared by KF Group through August 2005, it was determined that three separate ponds were the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (including acquisition and construction costs) in the area resulted in seven parcels being selected to comprise the pond sites.



**EXHIBIT "B"**

**3 OF 3**

**EASEMENT ACQUISITIONS FOR PERMANENT EASEMENTS**

Areas where the finished sidewalk elevation will be 2 ft or more above or below existing ground elevation require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk. In cases where surface water ponding could occur, it might require the placement of drainage structures within the permanent easements to convey that ponding water into the roadway drainage system or to adjacent canals.

**EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS,  
SLOPING & GRADING**

Temporary easements are required (expiring after construction) adjacent to the widened right of way (or adjacent to 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 also used to regrade the existing ground to prevent ponding of surface water and to direct it to a proper outfall.

Due to the lack of time pressure for the construction of this segment of roadway, Temporary Construction Easements are not being sought at this time.

**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 225 AS AN EMBANKMENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO SOUTH OF NORTHLAKE BOULEVARD PROJECT 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 improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of the Parcel designated as Parcel 225 as an Embankment Easement acquisition; and,

**WHEREAS**, the property owner has not accepted the offer to purchase made by Palm Beach County; 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, 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 225 for the necessary Embankment Easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake 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 construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

**WHEREAS**, in order to accomplish the acquisition of Parcel 225 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:**

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose; an Embankment Easement necessary for the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard.

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	_____
Robert J. Kanjian	_____
Mary McCarty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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"

1 of 2

A PARCEL OF LAND IN SECTION 25, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 25;  
 THENCE ALONG THE WEST LINE OF SAID SECTION 25, N00°03'56"E FOR 4990.00 FEET;  
 THENCE PARALLEL WITH THE SOUTH LINE OF SAID SECTION 25,  
 S86°14'14"E FOR 5551.43 FEET TO THE WEST LINE OF A RIGHT-OF-WAY EASEMENT  
 FOR SEMINOLE PRATT WHITNEY ROAD, RECORDED IN OFFICIAL RECORD BOOK 7693,  
 PAGE 1626, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;  
 THENCE ALONG SAID WEST LINE, N01°28'11"E FOR 30.02 FEET TO THE NORTH LINE  
 OF A ROAD AND DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 1687,  
 PAGE 1749 OF SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING;  
 THENCE CONTINUE ALONG SAID WEST LINE, N01°28'11"E FOR 367.63 FEET TO THE  
 SOUTH LINE OF A ROAD AND DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD  
 BOOK 1687, PAGE 1749 OF SAID PUBLIC RECORDS;  
 THENCE ALONG SAID SOUTH LINE, N87°10'34"W FOR 11.00 FEET TO A LINE LYING  
 11.00 FEET WEST OF, AND PARALLEL WITH, THE SAID WEST LINE OF SEMINOLE PRATT  
 WHITNEY ROAD;  
 THENCE ALONG SAID PARALLEL LINE, S01°28'11"W FOR 97.51 FEET;  
 THENCE N88°31'49"W FOR 3.00 FEET;  
 THENCE S01°28'11"W FOR 269.81 FEET TO THE SAID NORTH LINE OF A ROAD AND  
 DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 1687, PAGE 1749 OF  
 SAID PUBLIC RECORDS;  
 THENCE ALONG SAID NORTH LINE, S86°14'14"E FOR 14.01 FEET TO THE POINT OF  
 BEGINNING.

CONTAINING 4,853 SQUARE FEET, MORE OR LESS.

BEARING BASIS: N00°03'56"E ALONG THE WEST LINE OF SECTION 25.

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

P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 R/W - RIGHT-OF-WAY  
 ORB - OFFICIAL RECORD BOOK  
 TCE - TEMPORARY CONSTRUCTION EASEMENT  
 PE - PERMANENT EASEMENT  
 'L - DISTANCE LEFT OF CENTERLINE  
 R.D.E. - ROAD AND DRAINAGE EASEMENT

  
 JOHN E. PHILLIPS III  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF FLORIDA No. 4826  
 DATE: APR 03 2007



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

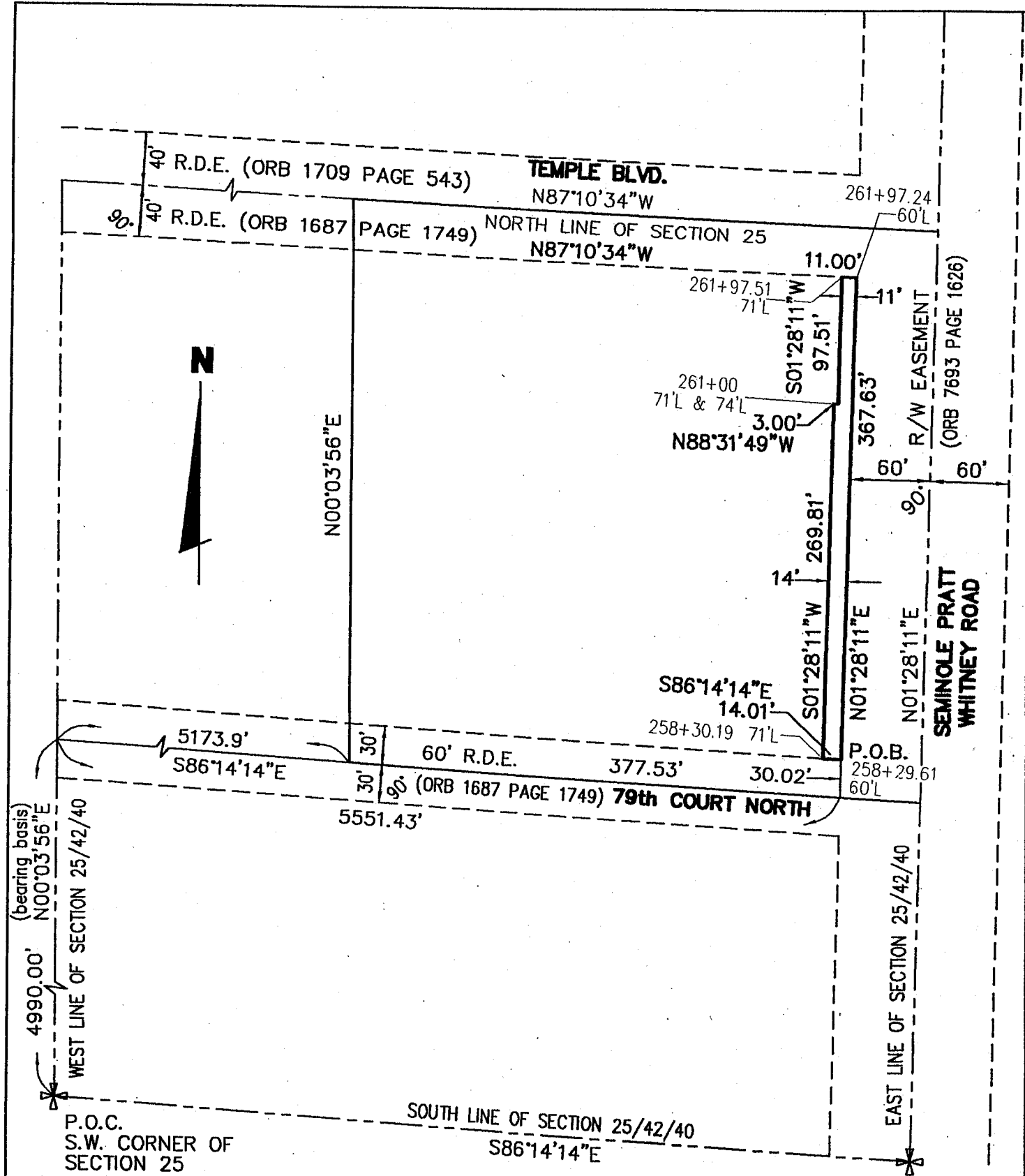
LEGAL DESCRIPTION

SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: NONE
EE No.225	DATE: 1/15/07
	SHEET 1 OF 2

EXHIBIT "A"

2 of 2



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

SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

SKETCH TO ACCOMPANY  
 LEGAL DESCRIPTION  
 THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: 1" = 100'
<b>EE No.225</b>	DATE: 1/15/07
	SHEET 2 OF 2

**EXHIBIT "B"**

**1 OF 3**

**SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO  
SOUTH OF NORTHLAKE BOULEVARD**

**PALM BEACH COUNTY, PROJECT #97511D**

**SAFETY**

Seminole Pratt Whitney Road is currently a two (2) lane rural roadway. The widening of Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard as a four (4) lane (ultimate 6 lane) divided roadway will improve the overall safety for all users of this roadway, due to the construction of a raised and 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake 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 and right-of-way acquisition was budgeted in the County's Five Year Road program in fiscal years 1997 through 2009. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of 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**

Seminole Pratt Whitney Road is a heavily-traveled roadway, which provides the most direct route for vehicles traveling in a north-south direction through the heart of 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.

**EXHIBIT "B"**  
**2 OF 3**

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan, which requires a 120 ft. wide right-of-way for an ultimate 6-lane roadway. 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**

Seminole Pratt Whitney Road exists along an established roadway corridor, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard.

**FEE ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY**

In conformance to the 2030 Long Range Transportation Plan, Seminole Pratt Whitney Rd is to be reconstructed to provide 4 lanes of an ultimate 6 lane section. The Comprehensive Plan requires that 120 ft be available for construction, which is today provided. In order to properly design for entering & exiting traffic at the intersecting side streets, some intersections require the purchase of additional Right of Way to provide Safe Sight Corners.

**FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS**

**3 POND SITES (7 PARCELS) ARE REQUIRED FROM ORANGE BLVD TO SOUTH OF NORTHLAKE BLVD)**

In accordance with the Pond Siting Report prepared by KF Group through August 2005, it was determined that three separate ponds were the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (including acquisition and construction costs) in the area resulted in seven parcels being selected to comprise the pond sites.

**EXHIBIT "B"**

**3 OF 3**

**EASEMENT ACQUISITIONS FOR PERMANENT EASEMENTS**

Areas where the finished sidewalk elevation will be 2 ft or more above or below existing ground elevation require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk. In cases where surface water ponding could occur, it might require the placement of drainage structures within the permanent easements to convey that ponding water into the roadway drainage system or to adjacent canals.

**EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS,  
SLOPING & GRADING**

Temporary easements are required (expiring after construction) adjacent to the widened right of way (or adjacent to 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 also used to regrade the existing ground to prevent ponding of surface water and to direct it to a proper outfall.

Due to the lack of time pressure for the construction of this segment of roadway, Temporary Construction Easements are not being sought at this time.



**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 252 AS AN EMBANKMENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO SOUTH OF NORTHLAKE BOULEVARD PROJECT 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 improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of the Parcel designated as Parcel 252 as an Embankment Easement acquisition; and,

**WHEREAS**, the property owner has not accepted the offer to purchase made by Palm Beach County; 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, 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 252 for the necessary Embankment Easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake 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 construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

**WHEREAS**, in order to accomplish the acquisition of Parcel 252 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:**

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose; an Embankment Easement necessary for the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard.

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	_____
Robert J. Kanjian	_____
Mary McCarty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

A PARCEL OF LAND IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 19;  
 THENCE ALONG THE EAST LINE OF SAID SECTION 19, N00°40'05"E FOR 3197.00 FEET;  
 THENCE PARALLEL WITH THE SOUTH LINE OF SAID SECTION 19, N89°29'24"W FOR 5297.77 FEET TO THE EAST LINE OF A RIGHT-OF-WAY EASEMENT FOR SEMINOLE PRATT WHITNEY ROAD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1626, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;  
 THENCE ALONG SAID EAST LINE, S01°26'08"W FOR 103.71 FEET, AND THE POINT OF BEGINNING;  
 THENCE CONTINUE ALONG SAID EAST LINE, S01°26'08"W FOR 105.32 FEET TO THE NORTH LINE OF A ROAD AND DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 1810, PAGE 491 OF SAID PUBLIC RECORDS;  
 THENCE ALONG SAID NORTH LINE, S89°29'24"E FOR 9.00 FEET TO A LINE LYING 9.00 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST LINE OF SEMINOLE PRATT WHITNEY ROAD;  
 THENCE ALONG SAID PARALLEL LINE, N01°26'08"E FOR 105.17 FEET;  
 THENCE N88°33'52"W FOR 9.00 FEET TO THE POINT OF BEGINNING.

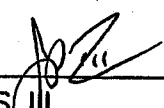
CONTAINING 947 SQUARE FEET, MORE OR LESS.

BEARING BASIS: N89°29'24"W ALONG THE NORTH LINE OF SECTION 19.

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

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- ORB - OFFICIAL RECORD BOOK
- TCE - TEMPORARY CONSTRUCTION EASEMENT
- PE - PERMANENT EASEMENT
- 'R - DISTANCE RIGHT OF CENTERLINE
- R.D.E. - ROAD AND DRAINAGE EASEMENT

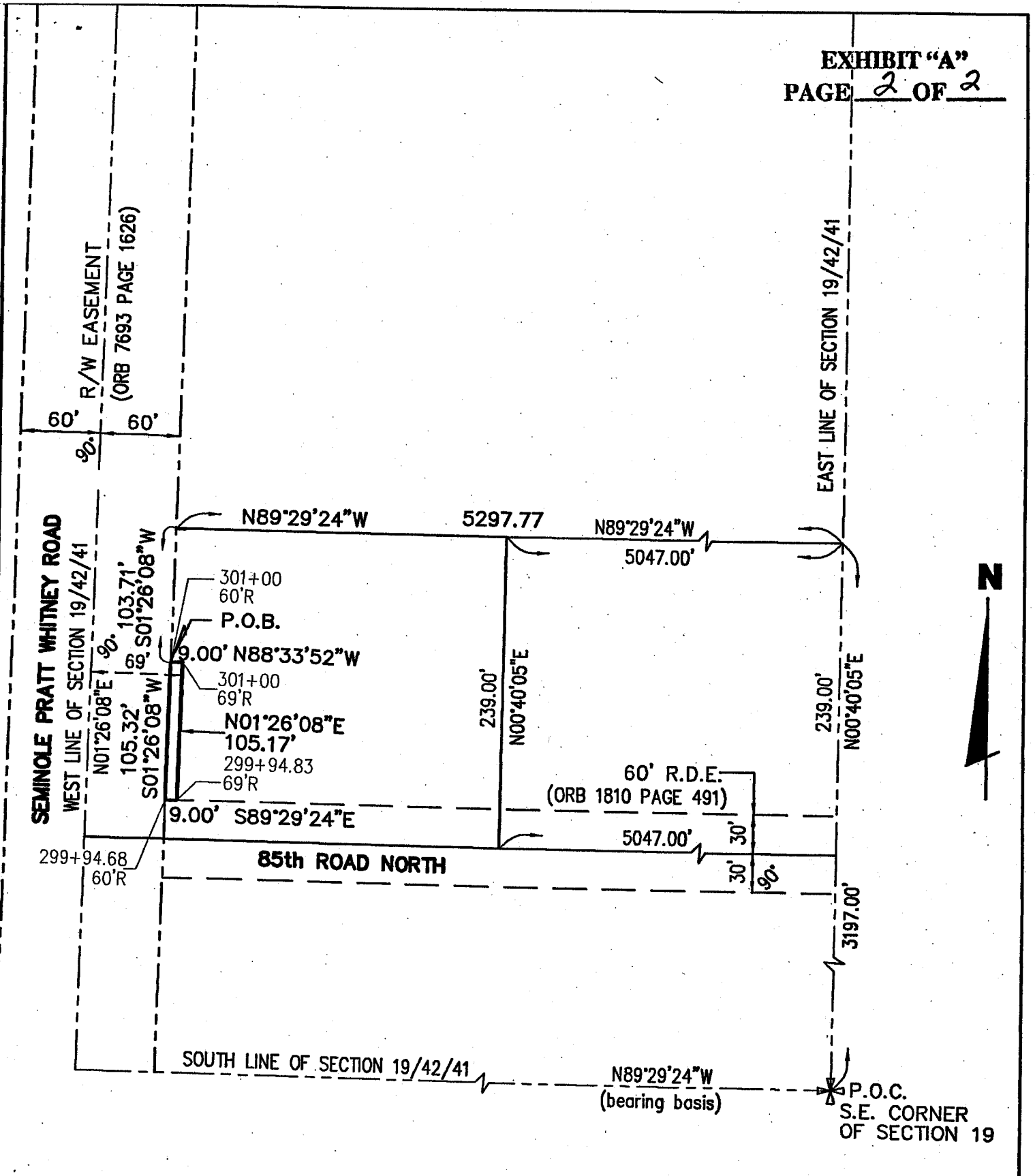
  
 JOHN E. PHILLIPS III  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF FLORIDA No. 4826  
 DATE: APR 30 2007



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

**LEGAL DESCRIPTION**  
 SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: NONE
<b>E.E. No.252</b>	DATE: 4/30/07
	SHEET 1 OF 2



SEMINOLE PRATT WHITNEY ROAD  
PALM BEACH COUNTY PROJECT No.1997511D

**BROWN & PHILLIPS, INC.**

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473  
901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407  
(561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION

THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: 1" = 100'
E.E. No.252	DATE: 4/30/07
	SHEET 2 OF 2

**EXHIBIT "B"**

**1 OF 3**

**SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO  
SOUTH OF NORTHLAKE BOULEVARD**

**PALM BEACH COUNTY, PROJECT #97511D**

**SAFETY**

Seminole Pratt Whitney Road is currently a two (2) lane rural roadway. The widening of Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard as a four (4) lane (ultimate 6 lane) divided roadway will improve the overall safety for all users of this roadway, due to the construction of a raised and 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake 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 and right-of-way acquisition was budgeted in the County's Five Year Road program in fiscal years 1997 through 2009. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of 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**

Seminole Pratt Whitney Road is a heavily-traveled roadway, which provides the most direct route for vehicles traveling in a north-south direction through the heart of 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.

**EXHIBIT "B"**

**2 OF 3**

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan, which requires a 120 ft. wide right-of-way for an ultimate 6-lane roadway. 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**

Seminole Pratt Whitney Road exists along an established roadway corridor, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard.

**FEE ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY**

In conformance to the 2030 Long Range Transportation Plan, Seminole Pratt Whitney Rd is to be reconstructed to provide 4 lanes of an ultimate 6 lane section. The Comprehensive Plan requires that 120 ft be available for construction, which is today provided. In order to properly design for entering & exiting traffic at the intersecting side streets, some intersections require the purchase of additional Right of Way to provide Safe Sight Corners.

**FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS**

**3 POND SITES (7 PARCELS) ARE REQUIRED FROM ORANGE BLVD TO SOUTH OF NORTHLAKE BLVD)**

In accordance with the Pond Siting Report prepared by KF Group through August 2005, it was determined that three separate ponds were the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (including acquisition and construction costs) in the area resulted in seven parcels being selected to comprise the pond sites.

**EXHIBIT "B"**

**3 OF 3**

**EASEMENT ACQUISITIONS FOR PERMANENT EASEMENTS**

Areas where the finished sidewalk elevation will be 2 ft or more above or below existing ground elevation require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk. In cases where surface water ponding could occur, it might require the placement of drainage structures within the permanent easements to convey that ponding water into the roadway drainage system or to adjacent canals.

**EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS,  
SLOPING & GRADING**

Temporary easements are required (expiring after construction) adjacent to the widened right of way (or adjacent to 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 also used to regrade the existing ground to prevent ponding of surface water and to direct it to a proper outfall.

Due to the lack of time pressure for the construction of this segment of roadway, Temporary Construction Easements are not being sought at this time.

**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 255 AS AN EMBANKMENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO SOUTH OF NORTHLAKE BOULEVARD PROJECT 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 improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of the Parcel designated as Parcel 255 as an Embankment Easement acquisition; and,

**WHEREAS**, the property owner has not accepted the offer to purchase made by Palm Beach County; 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, 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 255 for the necessary Embankment Easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake 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 construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

**WHEREAS**, in order to accomplish the acquisition of Parcel 255 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:**

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose; an Embankment Easement necessary for the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard.

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	_____
Robert J. Kanjian	_____
Mary McCarty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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"

1 of 2

A PARCEL OF LAND IN SECTION 24, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 24;  
 THENCE ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 24, S00°57'26"W FOR 1531.60 FEET;  
 THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 24, N89°53'31"E FOR 2787.67 FEET TO THE WEST LINE OF A RIGHT-OF-WAY EASEMENT FOR SEMINOLE PRATT WHITNEY ROAD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1626, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;  
 THENCE ALONG SAID WEST LINE, N01°26'08"E FOR 30.01 FEET TO THE NORTH LINE OF A ROAD AND DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 1709, PAGE 543 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING;  
 THENCE CONTINUE ALONG SAID WEST LINE, N01°26'08"E FOR 213.63 FEET TO THE SOUTH LINE OF A ROAD AND DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 1709, PAGE 543 OF SAID PUBLIC RECORDS;  
 THENCE ALONG SAID SOUTH LINE, S89°53'31"W FOR 10.00 FEET TO A LINE LYING 10.00 FEET WEST OF, AND PARALLEL WITH, THE SAID WEST LINE OF SEMINOLE PRATT WHITNEY ROAD;  
 THENCE ALONG SAID PARALLEL LINE, S01°26'08"W FOR 72.98 FEET;  
 THENCE N88°33'52"W FOR 3.00 FEET;  
 THENCE S01°26'08"W FOR 140.73 FEET TO THE SAID NORTH LINE OF A ROAD AND DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORD BOOK 1709, PAGE 543;  
 THENCE ALONG SAID NORTH LINE, N89°53'31"E FOR 13.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,558 SQUARE FEET, MORE OR LESS.

BEARING BASIS: S00°57'26"W ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 24.

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**

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- ORB - OFFICIAL RECORD BOOK
- TCE - TEMPORARY CONSTRUCTION EASEMENT
- PE - PERMANENT EASEMENT
- 'L - DISTANCE LEFT OF CENTERLINE
- R.D.E. - ROAD AND DRAINAGE EASEMENT

\_\_\_\_\_  
 JOHN E. PHILLIPS III  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF FLORIDA No. 4826  
 DATE: APR 30 2007



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

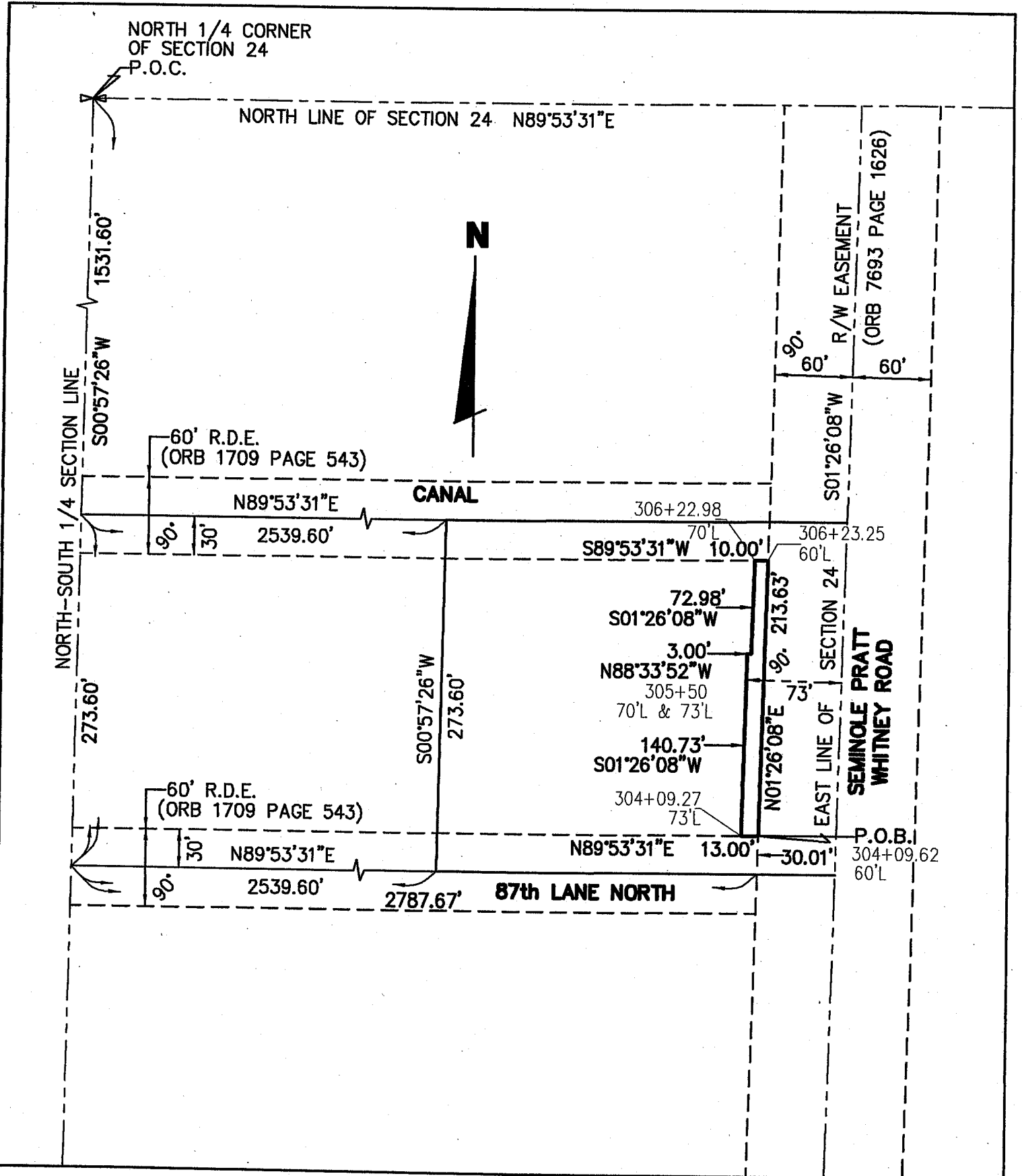
**LEGAL DESCRIPTION**

SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: NONE
<b>E No.255</b>	DATE: 4/5/07
	SHEET 1 OF 2

EXHIBIT "A"

2 of 2



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

SEMINOLE PRATT WHITNEY ROAD  
 PALM BEACH COUNTY PROJECT No.1997511D

SKETCH TO ACCOMPANY  
 LEGAL DESCRIPTION  
 THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: 1" = 100'
PE No.255	DATE: 4/5/07
	SHEET 2 OF 2

**EXHIBIT "B"**

**1 OF 3**

**SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO  
SOUTH OF NORTHLAKE BOULEVARD**

**PALM BEACH COUNTY, PROJECT #97511D**

**SAFETY**

Seminole Pratt Whitney Road is currently a two (2) lane rural roadway. The widening of Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard as a four (4) lane (ultimate 6 lane) divided roadway will improve the overall safety for all users of this roadway, due to the construction of a raised and 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake 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 and right-of-way acquisition was budgeted in the County's Five Year Road program in fiscal years 1997 through 2009. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of 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**

Seminole Pratt Whitney Road is a heavily traveled roadway, which provides the most direct route for vehicles traveling in a north-south direction through the heart of 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.

**EXHIBIT "B"**  
**2 OF 3**

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan, which requires a 120 ft. wide right-of-way for an ultimate 6-lane roadway. 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**

Seminole Pratt Whitney Road exists along an established roadway corridor, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard.

**FEE ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY**

In conformance to the 2030 Long Range Transportation Plan, Seminole Pratt Whitney Rd is to be reconstructed to provide 4 lanes of an ultimate 6 lane section. The Comprehensive Plan requires that 120 ft be available for construction, which is today provided. In order to properly design for entering & exiting traffic at the intersecting side streets, some intersections require the purchase of additional Right of Way to provide Safe Sight Corners.

**FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS**

**3 POND SITES (7 PARCELS) ARE REQUIRED FROM ORANGE BLVD TO SOUTH OF NORTHLAKE BLVD)**

In accordance with the Pond Siting Report prepared by KF Group through August 2005, it was determined that three separate ponds were the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (including acquisition and construction costs) in the area resulted in seven parcels being selected to comprise the pond sites.

**EXHIBIT "B"**

**3 OF 3**

**EASEMENT ACQUISITIONS FOR PERMANENT EASEMENTS**

Areas where the finished sidewalk elevation will be 2 ft or more above or below existing ground elevation require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk. In cases where surface water ponding could occur, it might require the placement of drainage structures within the permanent easements to convey that ponding water into the roadway drainage system or to adjacent canals.

**EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS,  
SLOPING & GRADING**

Temporary easements are required (expiring after construction) adjacent to the widened right of way (or adjacent to 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 also used to regrade the existing ground to prevent ponding of surface water and to direct it to a proper outfall.

Due to the lack of time pressure for the construction of this segment of roadway, Temporary Construction Easements are not being sought at this time.

**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 256 AS AN EMBANKMENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENTS OF THE SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO SOUTH OF NORTHLAKE BOULEVARD PROJECT 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 improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, in Palm Beach County, Florida; and,

**WHEREAS**, the funds are available for the acquisition of the Parcel designated as Parcel 256 as an Embankment Easement acquisition; and,

**WHEREAS**, the property owner has not accepted the offer to purchase made by Palm Beach County; 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, 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 256 for the necessary Embankment Easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public purpose, to wit: the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake 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 construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

**WHEREAS**, in order to accomplish the acquisition of Parcel 256 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:**

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire in its own name by donation, purchase or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public purpose; an Embankment Easement necessary for the construction and improvements of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard.

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	_____
Robert J. Kanjian	_____
Mary McCarty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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"

1 of 2

A PARCEL OF LAND IN SECTION 19 TOWNSHIP 42 SOUTH, RANGE 41 EAST,  
PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 14.00 FEET, OF THE WEST 74.00 FEET, OF THE NORTH 269.00 FEET,  
OF THE SOUTH 3705.00 FEET, OF SAID SECTION 19.  
LESS THE SOUTH 30.00 FEET AND THE NORTH 30.00 FEET THEREOF.

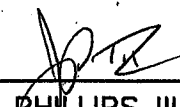
CONTAINING 2,926 SQUARE FEET, MORE OR LESS.

BEARING BASIS: N89°29'24"W ALONG THE SOUTH LINE OF SECTION 19.

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

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- R/W - RIGHT-OF-WAY
- ORB - OFFICIAL RECORD BOOK
- TCE - TEMPORARY CONSTRUCTION EASEMENT
- PE - PERMANENT EASEMENT
- 'R - DISTANCE RIGHT OF CENTERLINE
- R.D.E. - ROAD AND DRAINAGE EASEMENT

  
\_\_\_\_\_  
JOHN E. PHILLIPS III  
PROFESSIONAL LAND SURVEYOR  
STATE OF FLORIDA No. 4826  
DATE: MAY 13 2007



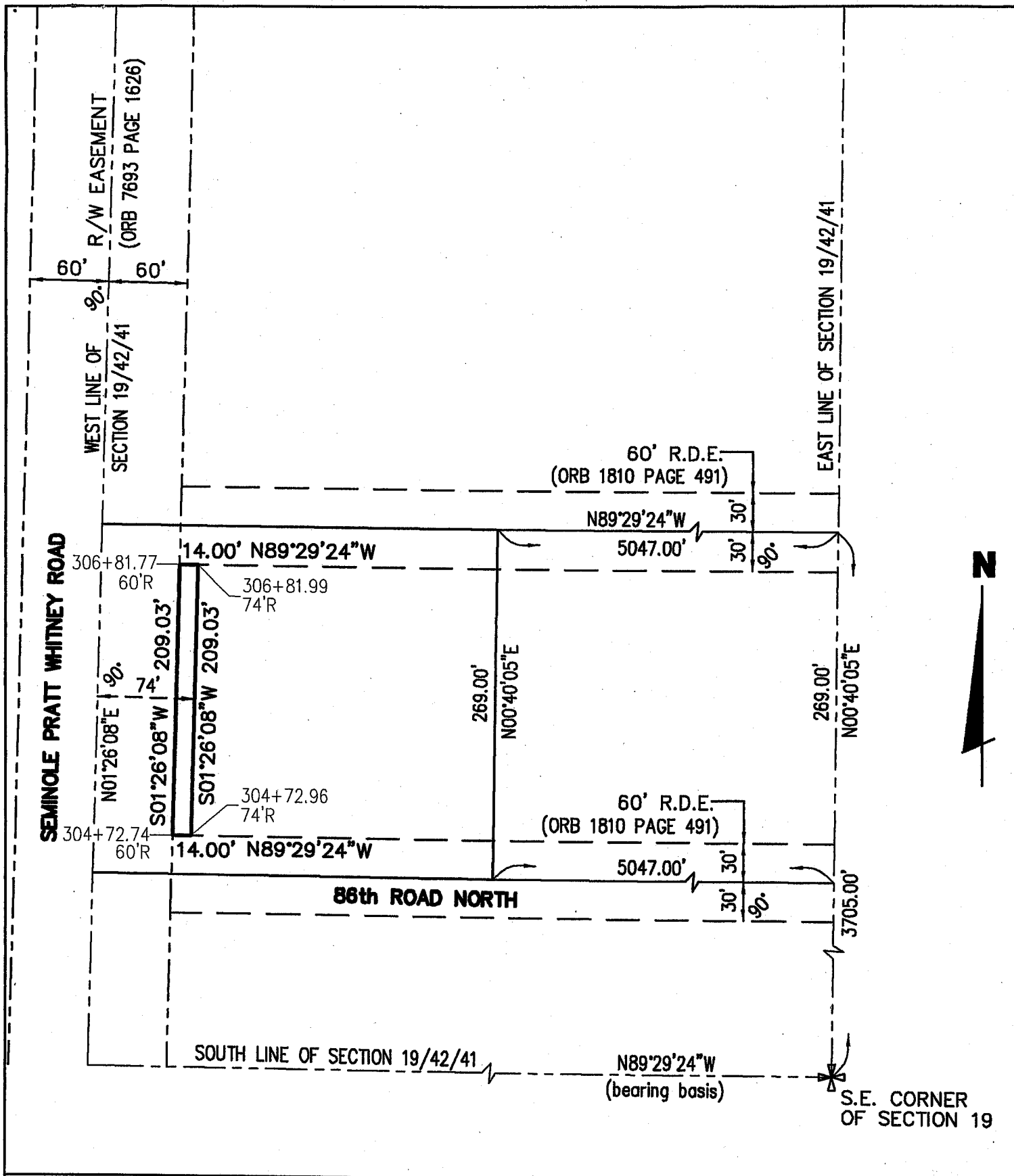
PROFESSIONAL SURVEYING SERVICES  
CERTIFICATE OF AUTHORIZATION # LB 6473  
901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407  
(561) 615-3988, (561) 615-3986 FAX

**LEGAL DESCRIPTION**  
SEMINOLE PRATT WHITNEY ROAD  
PALM BEACH COUNTY PROJECT No.1997511D

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: NONE
<b>E'E No.256</b>	DATE: 5/3/07
	SHEET 1 OF 2

EXHIBIT "A"

2 of 2



SEMINOLE PRATT WHITNEY ROAD  
PALM BEACH COUNTY PROJECT No.1997511D

**BROWN & PHILLIPS, INC.**

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

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION

THIS SKETCH IS NOT A SURVEY

DRAWN: MB	PROJ. No. 02-040
CHECKED: JEP	SCALE: 1" = 100'
EE No.256	DATE: 5/3/07
	SHEET 2 OF 2

**EXHIBIT "B"**

**1 OF 3**

**SEMINOLE PRATT WHITNEY ROAD FROM ORANGE BOULEVARD TO  
SOUTH OF NORTHLAKE BOULEVARD**

**PALM BEACH COUNTY, PROJECT #97511D**

**SAFETY**

Seminole Pratt Whitney Road is currently a two (2) lane rural roadway. The widening of Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard as a four (4) lane (ultimate 6 lane) divided roadway will improve the overall safety for all users of this roadway, due to the construction of a raised and 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake 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 and right-of-way acquisition was budgeted in the County's Five Year Road program in fiscal years 1997 through 2009. During the design of the roadway, reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of 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**

Seminole Pratt Whitney Road is a heavily traveled roadway, which provides the most direct route for vehicles traveling in a north-south direction through the heart of 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.

**EXHIBIT "B"**  
**2 OF 3**

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2030 Long Range Transportation Plan, which requires a 120 ft. wide right-of-way for an ultimate 6-lane roadway. 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**

Seminole Pratt Whitney Road exists along an established roadway corridor, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement 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 Seminole Pratt Whitney Road from Orange Boulevard to South of Northlake Boulevard.

**FEE ACQUISITIONS FOR ADDITIONAL RIGHT OF WAY**

In conformance to the 2030 Long Range Transportation Plan, Seminole Pratt Whitney Rd is to be reconstructed to provide 4 lanes of an ultimate 6 lane section. The Comprehensive Plan requires that 120 ft be available for construction, which is today provided. In order to properly design for entering & exiting traffic at the intersecting side streets, some intersections require the purchase of additional Right of Way to provide Safe Sight Corners.

**FEE ACQUISITIONS FOR WATER MANAGEMENT POND PARCELS**

**3 POND SITES (7 PARCELS) ARE REQUIRED FROM ORANGE BLVD TO SOUTH OF NORTHLAKE BLVD)**

In accordance with the Pond Siting Report prepared by KF Group through August 2005, it was determined that three separate ponds were the most practical way to address drainage needs for this segment of roadway. An extensive review and comparison of available sites (including acquisition and construction costs) in the area resulted in seven parcels being selected to comprise the pond sites.

**EXHIBIT "B"**

**3 OF 3**

**EASEMENT ACQUISITIONS FOR PERMANENT EASEMENTS**

Areas where the finished sidewalk elevation will be 2 ft or more above or below existing ground elevation require acquisition of a permanent easement. This easement prevents the abutting owner from removing the underlying fill and thereby undermining the sidewalk. In cases where surface water ponding could occur, it might require the placement of drainage structures within the permanent easements to convey that ponding water into the roadway drainage system or to adjacent canals.

**EASEMENT ACQUISITIONS FOR TEMPORARY ACCESS,  
SLOPING & GRADING**

Temporary easements are required (expiring after construction) adjacent to the widened right of way (or adjacent to 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 also used to regrade the existing ground to prevent ponding of surface water and to direct it to a proper outfall.

Due to the lack of time pressure for the construction of this segment of roadway, Temporary Construction Easements are not being sought at this time.