

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

**Meeting Date: June 3, 2008**

**Consent**       **Regular**  
 **Workshop**       **Public**

**Hearing**

**Department:**

**Submitted By:** Engineering and Public Works

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

**Project No.: 2003513**

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to:**

**A) approve** a County Deed conveying to Old Marsh Golf Club, Inc. (Old Marsh) a portion of Jog Road right-of-way in Section 28, Township 41 South, Range 42 East that abuts the plat of Old Marsh which is no longer required by Palm Beach County (County), with actual transfer occurring upon award of the construction contract for the new road segment of Jog Road between Hood Road and Donald Ross Road (Project) and

**B) accept** four Drainage Easements from Old Marsh that are required for the construction of drainage facilities for the Project.

**SUMMARY:** This action will convey to Old Marsh a portion of Jog Road right-of-way that is no longer required by the County upon award of the construction contract for the Project, and accept four Drainage Easements from Old Marsh needed for the construction.

District 1 (PK)

**Background and Justification:** A Development Order, Petition No. 85-42, approved by Resolution No. R-85-1225, required the conveyance of 120 feet of right-of-way to the County for Jog Road. Because of a change to the Comprehensive Plan, approximately 57 feet of the 120 feet that was conveyed to the County is no longer required. Old Marsh, the successor in title to Old Marsh Partners, who conveyed the 120 feet to the County in 1985, has requested that the portion of right-of-way which is no longer required by the County be re-conveyed to them. Old Marsh will convey to the County at no cost, the four Drainage Easements required for the construction of the Project. The conveyance to Old Marsh of the Jog Road right-of-way will be recorded only when the construction contract has been awarded by the County and the conveyance of the easements will occur immediately thereafter. The new west right-of-way line being created by this conveyance to Old Marsh will be designated as a Limited Access Line to prevent any access points from being established on Jog Road along the frontage of Old Marsh. The approval of this County Deed and acceptance of the four Drainage easements are for a public purpose and necessity, which is deemed to be in the best interest of Palm Beach County.

**Attachments:**

1. Location Map
2. County Deed with Exhibit "A"
3. Drainage Easements with Exhibit "A"

**Recommended by:**

\_\_\_\_\_  
Division Director

\_\_\_\_\_  
Date

**Approved by:**

*Deey T. Webb*  
\_\_\_\_\_  
County Engineer

*5/12/08*  
\_\_\_\_\_  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>\$ -0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

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

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Acct No.: Fund \_\_\_\_\_ Dept. \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_

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

This item has no additional fiscal impact.

C. Departmental Fiscal Review: R. D. Ward 5/5/08

**III. REVIEW COMMENTS**

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

atwillhite 5.14.08  
OFMB  
SN 5/13/08 CN 5/13/08

Dr. J. Acosta 5/15/08  
Contract Dev. and Control  
5/16/08

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

Paul F. J. 5/16/08  
Assistant County Attorney

**C. Other Department Review:**

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

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



RETURN TO:

NAME: PALM BEACH COUNTY  
R/W ACQUISITION SECTION  
POST OFFICE BOX 21229  
ADDRESS: WEST PALM BEACH, FLORIDA 33416  
ATTN: ED HANDY  
ACCT. NO.: 1010 W/C BOX 1066

**C O U N T Y D E E D**

THIS DEED, made this \_\_\_\_\_ by PALM BEACH COUNTY, a political subdivision of the State of Florida, party of the first part, and OLD MARSH GOLF CLUB, INC., party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the parties of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the parties of the second part, their heirs and assigns forever, the following described land lying and being in Palm Beach County, Florida:

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

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice Chair of said Board, the day and year aforesaid.

ATTEST:  
SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Clerk (or Deputy Clerk)

BY: \_\_\_\_\_  
Addie L. Greene, Chairperson

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

This instrument prepared by:  
Paul King, Assistant County Attorney  
Palm Beach County  
P.O. Box 21229  
West Palm Beach, FL 33416

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

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2008  
by \_\_\_\_\_ Chairperson or Vice Chair, Board of County  
Commissioners, who is personally known to me or who has produced \_\_\_\_\_ as  
identification and who did not take an oath.

\_\_\_\_\_  
Typed name of Acknowledger  
Deputy Clerk

EXHIBIT "A"

1 of 2

TWO (2) PARCELS OF LAND IN SECTION 28, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION THE RIGHT-OF-WAY OF JOG ROAD, RECORDED IN OFFICIAL RECORD BOOK 4778, PAGE 1792, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT POINT OF BEGINNING No.1, AT THE NORTHEAST CORNER OF OLD MARSH GOLF CLUB, RECORDED IN PLAT BOOK 58, PAGE 62, OF SAID PUBLIC RECORDS;  
 THENCE ALONG THE EAST BOUNDARY OF SAID PLAT, S01°14'38"W FOR 2096.15 FEET TO POINT "A";  
 THENCE S87°22'47"E FOR 25.99 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 7675.94 FEET, WHERE A RADIAL LINE BEARS S87°17'39"E;  
 THENCE NORTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 2°19'55" FOR 312.40 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 7617.44 FEET;  
 THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 3°47'38" FOR 504.39 FEET TO A POINT OF TANGENCY;  
 THENCE N01°14'38"E FOR 1279.31 FEET TO THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID PLAT OF OLD MARSH GOLF CLUB; THENCE ALONG SAID EXTENSION, N87°21'29"W FOR 57.01 FEET TO POINT OF BEGINNING No.1.

CONTAINING 2.50 ACRES (108,885 SQUARE FEET), MORE OR LESS.

TOGETHER WITH:

COMMENCE AT ABOVE-DESCRIBED POINT "A"; THENCE CONTINUE ALONG SAID EAST PLAT BOUNDARY, S01°14'38"W FOR 20.01 FEET TO POINT OF BEGINNING No.2;  
 THENCE CONTINUE ALONG SAID EAST PLAT BOUNDARY, S01°14'38"W FOR 191.48 FEET TO THE SOUTH LINE OF SAID SECTION 28;  
 THENCE ALONG SAID SOUTH LINE, S89°35'06"E FOR 23.50 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 7675.94 FEET, WHERE A RADIAL LINE BEARS S88°51'57"E;  
 THENCE NORTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 1°25'20" FOR 190.54 FEET;  
 THENCE N87°22'47"W FOR 25.51 FEET TO POINT OF BEGINNING No.2.


CONTAINING 4,605 SQUARE FEET, MORE OR LESS.

BEARING BASIS: S01°14'38"W ALONG THE EAST BOUNDARY OF OLD MARSH GOLF CLUB.

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
- O.R.B.- OFFICIAL RECORD BOOK
- P.B.- PLAT BOOK
- 50'LT - DISTANCE LEFT OF BASELINE

  
 JOHN E. PHILLIPS III  
 SURVEYOR AND MAPPER  
 STATE OF FLORIDA No. 4826  
 DATE: 4/28/08



**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**  
 R/W PARCEL No.102

DRAWN: MB	PROJ. No. 04-018
CHECKED: JEP	SCALE: NONE
PALM BEACH COUNTY	DATE: 4/28/08
PROJECT No.2003513	SHEET 1 OF 2

