

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 22, 2008

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

Department:

Submitted By: Engineering and Public Works

Submitted For: Right-of-Way Acquisition Section

Project No. : 2001504

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution designating certain land owned by Palm Beach County (County) as Parcel 102 for Right-of-Way, Parcel 202 for an Embankment Easement and Parcels 302A, 302B and 302C for Temporary Construction Easements, necessary for the widening and construction of improvements on Boca Rio Road, from Palmetto Park Road to Glades Road (Project).

SUMMARY: This action designates certain County-owned land as either Right-of-Way, Embankment Easement and/or Temporary Construction Easements necessary to construct the Project.

District 5 (PK)

Background and Justification: The County owns a parcel of land located on the west side of Boca Rio Road approximately 1/8th of a mile south of Via Ancho Road. A five acre portion of said parcel of land is being leased by The Haven, Inc., a not for profit corporation, as a residential facility for abused and neglected children. It has been determined that certain parcels which are part of the leased portion designated as Parcels 102, 202, 302A, 302B and 302C are required for Right-of-Way, an Embankment Easement and Temporary Construction Easements that are necessary for the widening and construction of improvements on Boca Rio Road, from Palmetto Park Road to Glades Road. The County will be responsible for the relocation of signage, fencing, landscaping, irrigation system, and asphalt paving. The County will coordinate with The Haven, Inc. and be responsible for the placement of directional signage at their existing driveways. The Property and Real Estate Management Division has reviewed and supports this action. The adoption of this Resolution will designate County-owned property as Right-of-Way, an Embankment Easement and Temporary Construction Easements, and is in the best interest of Palm Beach County.

Attachments:

1. Location Map
 2. Resolution with Exhibit "A"
-
-

Recommended by: _____

Division Director

Date

Approved by: _____

County Engineer

Date

A. T. Wald 7/2/08

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact: See Comment Section B.

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-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

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.

* It has not been determined how much cost will be involved in the relocation of the signage, fencing, landscaping, irrigation system and asphalt paving. However, this will be done in the construction portion of the widening and improvements of Boca Rio Road from Palmetto Park Road to Glades Road (Project) and the cost will be included in that construction contract.

C. Departmental Fiscal Review: R. Ward 6/3/08

III. REVIEW COMMENTS

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

Atwillhite 7.8.08 OFMB *SW 7/8/08 CN 7/3/08*
Jim J. Jacoby 7/19/08 Contract Dev. and Control *James 7/19/08*

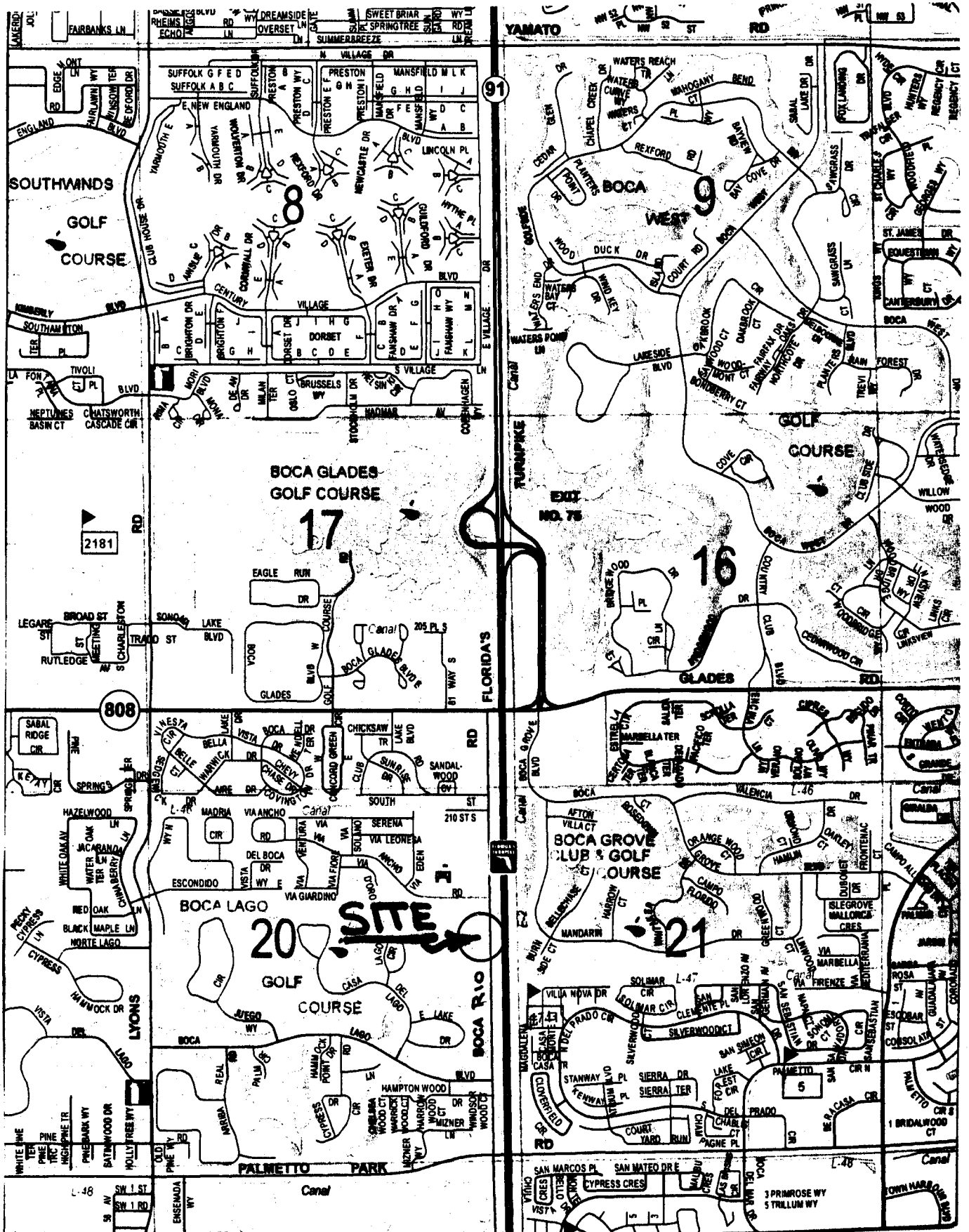
B. Approved as to Form and Legal Sufficiency:
Paul F. J. 7/14/08
 Assistant County Attorney

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, DESIGNATING CERTAIN LAND OWNED BY PALM BEACH COUNTY AS PARCEL 102 FOR RIGHT-OF-WAY, PARCEL 202 FOR AN EMBANKMENT EASEMENT AND PARCELS 302A, 302B AND 302C FOR TEMPORARY CONSTRUCTION EASEMENTS, THAT ARE NECESSARY FOR THE WIDENING AND CONSTRUCTION OF IMPROVEMENTS ON BOCA RIO ROAD, FROM PALMETTO PARK ROAD TO GLADES ROAD.

WHEREAS, Palm Beach County owns a parcel of land located on the west side of Boca Rio Road south of Via Ancho Road; and,

WHEREAS, a five acre portion of this parcel of land is leased by The Haven, Inc.; and,

WHEREAS, certain parcels which are part of the leased portion are necessary for the widening and construction of improvements on Boca Rio Road, from Palmetto Park Road to Glades Road; and,

WHEREAS, these parcels are known as Parcel 102 for Right-of-Way, Parcel 202 for an Embankment Easement, Parcels 302A, 302B and 302C for Temporary Construction Easements and are described in the attached Exhibit "A"; and,

WHEREAS, Palm Beach County will be responsible for the relocation of signage, fencing, landscaping, irrigation system, sod, and asphalt paving that The Haven, Inc. has located within the required parcels; and,

WHEREAS, Palm Beach County is willing to coordinate with The Haven, Inc. and be responsible for the placement of directional signage at their existing driveways; and,

WHEREAS, the Property and Real Estate Division has reviewed and supports this action; and,

WHEREAS, the adoption of this Resolution will designate Palm Beach County owned land as Parcel 102 for Right-of-Way, Parcel 202 for an Embankment Easement and Parcels 302A, 302B and 302C for Temporary Construction Easements, necessary for the widening and construction of improvements on Boca Rio Road, from Palmetto Park Road to Glades Road; and,

WHEREAS; the adoption of this Resolution is in the best interest of Palm Beach County.

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.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is hereby designated as Parcel 102 for Right-of-Way, Parcel 202 for an Embankment Easement and Parcels 302A, 302B and 302C for Temporary Construction Easements and are to be used for the public purposes as stated and are necessary for the widening and construction of improvements on Boca Rio Road, from Palmetto Park Road to Glades Road.

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 10

LEGAL DESCRIPTION
BOCA RIO ROAD
RIGHT-OF-WAY ACQUISITION
PARCEL 102

Being a portion of Tract 60, ~~Block 79~~ PALM BEACH FARMS COMPANY PLAT NO. 3, as recorded in Plat Book 2, Page 45, also being a portion of that parcel described in Deed Book 838, Page 343, Public Records of Palm Beach County, Florida, said portion being more particularly described as follows:

BEGINNING at a point on a line that is 60.00 feet west of and parallel with the west right-of-way line of the Sunshine State Parkway, said point being on the north line of Tract 60, Block 79; thence South $01^{\circ}05'04''$ East along a line that is 60.00 feet west of and parallel with said west right-of-way line, 635.54 feet to a point on a line that is 25.00 feet north of and parallel with the south line of Tract 60, Block 79; thence South $89^{\circ}36'53''$ West along a line that is 25.00 feet north of and parallel with said south line, 10.00 feet; thence North $01^{\circ}05'04''$ West along a line that is 70.00 feet west of and parallel with the west right-of-way line of the Sunshine State Parkway, 635.54 feet to a point on the north line of Tract 60, Block 79; thence North $89^{\circ}37'48''$ East along said north line, 10.00 feet to the POINT OF BEGINNING.

Containing 6,355 square feet, or 0.146 acres, more or less.

Bearings refer to the State Plane Grid Datum, N.A.D. 1983, 1990 Adjustment; the west line of the Sunshine State Parkway bearing: North $01^{\circ}05'04''$ West.

SHEET 1 of 2
LS 6995-102

EXHIBIT "A"

3 of 10

LEGAL DESCRIPTION
BOCA RIO ROAD
EMBANKMENT EASEMENT
PARCEL 202

Being a portion of Tract 60, Block 79; PALM BEACH FARMS COMPANY PLAT NO. 3, as recorded in Plat Book 2, Page 45, also being a portion of that parcel described in Deed Book 838, Page 343, Public Records of Palm Beach County, Florida, said portion being more particularly described as follows:

BEGINNING at a point on a line that is 70.00 feet west of and parallel with the west right-of-way line of the Sunshine State Parkway, said point being on the north line of Tract 60, Block 79; thence South $01^{\circ}05'04''$ East along a line that is 70.00 feet west of and parallel with said west right-of-way line, 459.43 feet; thence South $88^{\circ}54'56''$ West perpendicular to the previous course, 10.00 feet to a point on a line that is 80.00 feet west of and parallel with the west right-of-way line of the Sunshine State Parkway; thence North $01^{\circ}05'04''$ West along said parallel line, 177.49 feet; thence North $06^{\circ}25'24''$ West, 64.49 feet; thence North $09^{\circ}21'54''$ East, 33.08 feet to a point on a line that is 80.00 feet west of and parallel with the west right-of-way line of the Sunshine State Parkway; thence North $01^{\circ}05'04''$ West along said parallel line, 185.32 feet to the north line of Tract 60, Block 79; thence North $89^{\circ}37'48''$ East along said north line, 10.00 feet to the POINT OF BEGINNING.

Containing 4,885 square feet, or 0.112 acres, more or less.

Bearings refer to the State Plane Grid Datum, N.A.D. 1983, 1990 Adjustment; the west line of the Sunshine State Parkway bearing: North $01^{\circ}05'04''$ West.

SHEET 1 of 2
LS 6995-202