

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: May 5, 2009

Consent [] Regular
[] Workshop [] Public Hearing

Department:

Submitted By: Engineering and Public Works

Submitted For: Engineering Services Division/Right-of-Way Acquisition Section

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: Six Resolutions declaring the acquisition of property known as Parcels 101 and 103 as partial takes in fee simple for right-of-way, and Parcels 217, 219, 221 and 224 as temporary construction easements, for the improvement and construction of Stacy Street from Haverhill Road to the end, being Palm Beach County Project No. 2008904.

Summary: Approval of this action will adopt six Resolutions to authorize the filing of eminent domain proceedings against six parcels whose total appraised value is \$16,850.

District 2 (PM)

Background and Justification: The property owners of Parcels 101, 103, 217, 219, 221 and 224 have not accepted the offers to purchase made by Palm Beach County. It is therefore necessary to file eminent domain proceedings to acquire these six parcels. The acquisition of Parcels 101 and 103 are required as partial takes in fee simple for right-of-way, and Parcels 217, 219, 221 and 224 are required as temporary construction easements. These parcels are required for the widening and construction of improvements to Stacy Street from Haverhill Road to the end. These acquisitions 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. Resolutions with Exhibit "A" and Exhibit "B" (18)

Recommended by: Mr. Mark A. C.
for Division Director

03/31/09
Date

Approved by: S. J. Webb
County Engineer

4/17/09
Date

KAT

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2009 | 2010 | 2011 | 2012 | 2013 |
|--------------------------|-----------------|------------|------------|------------|------------|
| Capital Expenditures | \$16,850 | -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 | \$16,850 | -0- | -0- | -0- | -0- |

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No
Budget Acct No.: Fund 3500 Dept. 361 Unit 1184 Object 6120
Program

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

Transportation Improvement Fund
Stacy Street Improvements

| | |
|--------------|---------------------|
| Parcel 101 | \$3,350.00 |
| Parcel 103 | \$3,300.00 |
| Parcel 217 | \$2,900.00 |
| Parcel 219 | \$250.00 |
| Parcel 221 | \$6,750.00 |
| Parcel 224 | \$300.00 |
| Total | \$ 16,850.00 |

C. Departmental Fiscal Review: [Signature]

III. REVIEW COMMENTS

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

| | |
|--|---|
| <p><u> [Signature] 4.23.09 </u> OFMB 4/23/09 CN 4/22/09 JP 4/21/09</p> | <p><u> [Signature] 4/23/09 </u> Contract Dev. and Control</p> |
|--|---|

This item complies with current County policies.

B. Approved as to Form and Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

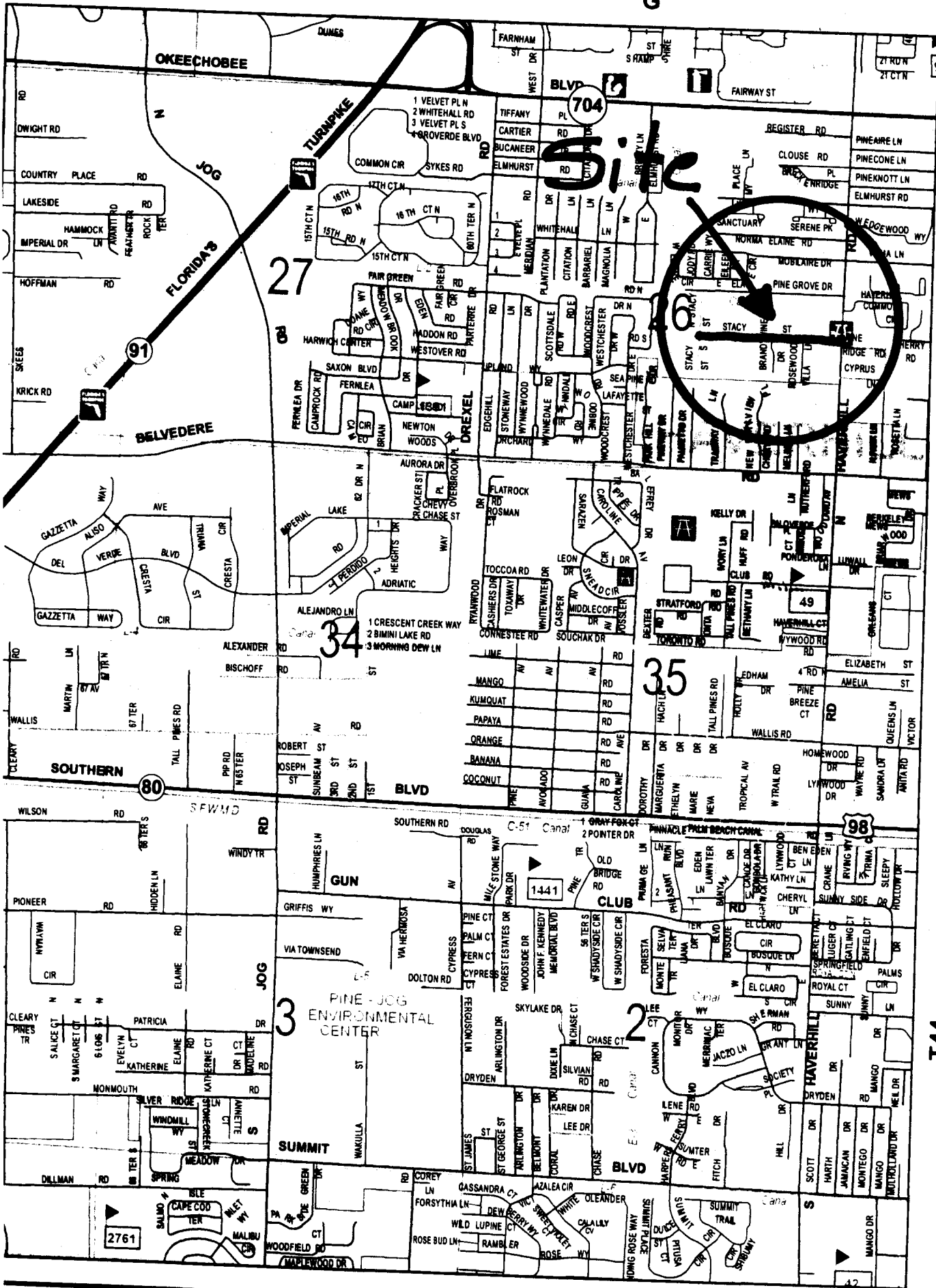
This summary is not to be used as a basis for payment.

Locatin Map

R42
H

R42
G

See pg 57



T43

T43

T44

H

See pg 79

G

RESOLUTION NO. R2009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 101 AS A PARTIAL TAKE IN FEE SIMPLE FOR RIGHT-OF-WAY, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF STACY STREET FROM HAVERHILL ROAD TO THE END, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Stacy Street from Haverhill Road to the end, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 101 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 101, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 101 for the necessary Partial Take in Fee Simple for Right-of-Way, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Stacy Street from Haverhill Road to the end, 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, a Partial Take in Fee Simple of the property identified as Parcel 101 is necessary for right-of-way, thereon with the construction to be undertaken by Palm Beach County as to Stacy Street from Haverhill Road to the end, thereon and adjacent thereto. The right-of-way Partial Take in Fee Simple of the parcel is granted upon the condition that the construction limits shall not extend beyond the limits outlined in the legal description of said property; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Stacy Street from Haverhill Road to the end; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

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

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:

| | |
|------------------------------|-------|
| John F. Koons, Chairman | _____ |
| Burt Aaronson, Vice Chairman | _____ |
| Karen T. Marcus | _____ |
| Shelley Vana | _____ |
| Steven L. Abrams | _____ |
| Jess R. Santamaria | _____ |
| District 7 | _____ |

The Chairman thereupon declared the Resolution passed and adopted this _____ day of _____, 2009.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
**STACY STREET ROADWAY IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2008904**

SAFETY

Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The proposed Stacy Street roadway improvements will enhance overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been performed 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 constructing the Stacy Street Roadway Improvements had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design 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 the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Stacy Street has only one outlet at Haverhill Road. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the roadway improvements does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

The proposed Stacy Street Improvements will mainly be constructed within existing road right-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the construction of the Stacy Street Roadway Improvements.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR ROADWAY IMPROVEMENTS

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way except for two triangular parcels of private property at each end of Stacy Street. The triangular parcels are required to provide safe sight distance at the street intersections and minor drainage connections. Forcing realignment of Stacy Street to avoid the need for the parcels is not feasible.

TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way. Multiple temporary construction easements are included to facilitate harmonizing between the new roadway and existing properties along both sides of the road. Forcing realignment of Stacy Street to avoid the need for the easements is not feasible.

Exhibit 'B' to
Resolution
1 of 2

PARCEL 101

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE CENTERLINE OF STACY STREET BEARING N89°26'01"W. NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; R/W = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION

DESCRIPTION:

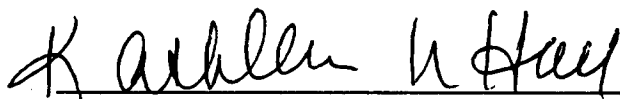
A PORTION OF TRACT 30, PLAT OF HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 30; THENCE N01°21'49"E, ALONG THE WEST LINE OF SAID TRACT 30, A DISTANCE OF 23.00 FEET; THENCE S44°02'06"E, 32.30 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 30; THENCE N89°26'01"W, ALONG SAID SOUTH LINE, 23.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 264 SQUARE FEET (0.01 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 6, 2008.



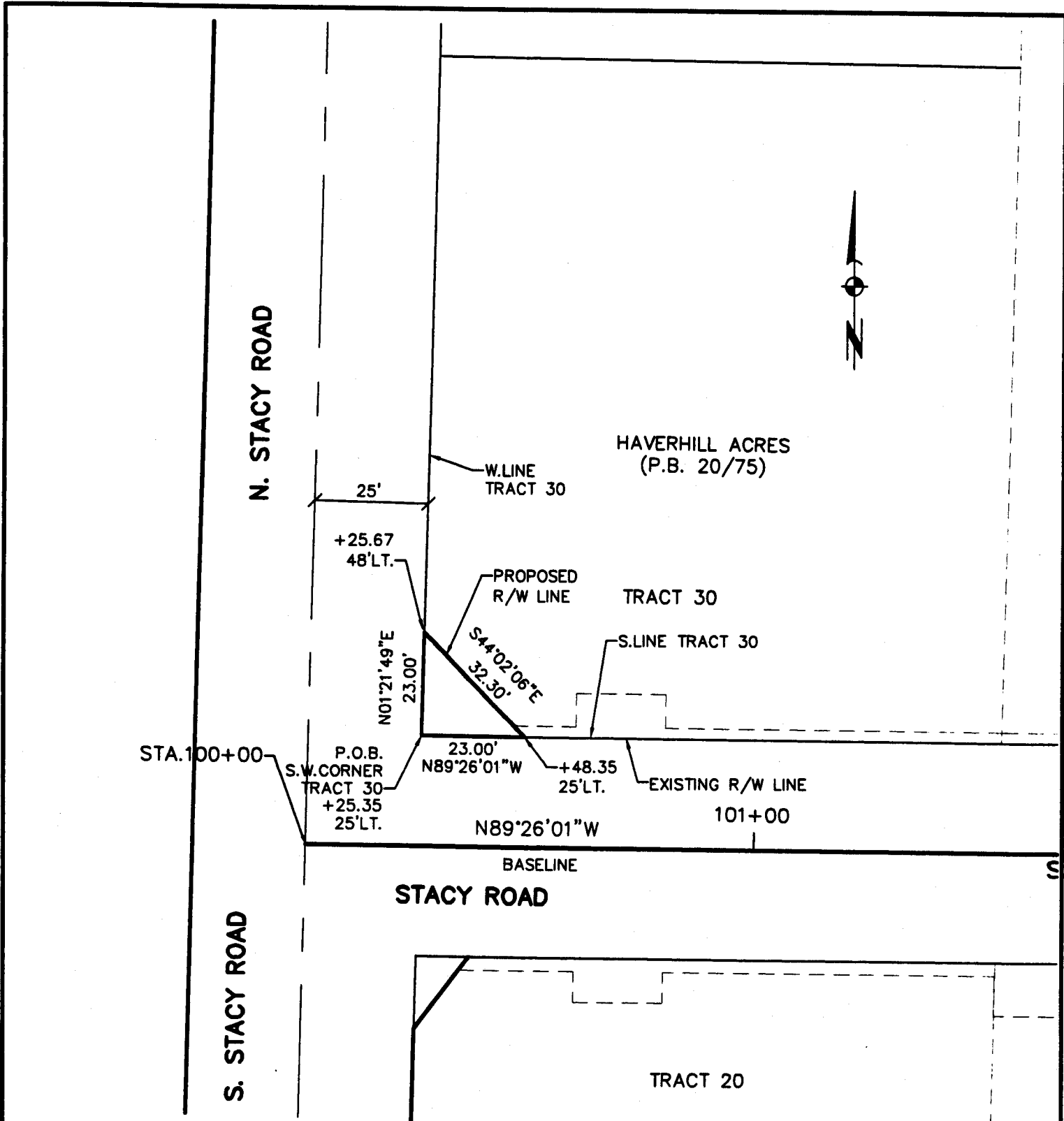
KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

REV.: 8/28/08
DATE: 8/6/08
SHEET 1 OF 2
JOB NO.: 3826

Exhibit "B" to
Resolution
2 of 2



KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

SCALE: 1"=30'

SHEET 2 OF 2
JOB NO.: 3826

RESOLUTION NO. R2009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 103 AS A PARTIAL TAKE IN FEE SIMPLE FOR RIGHT-OF-WAY, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF STACY STREET FROM HAVERHILL ROAD TO THE END, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Stacy Street from Haverhill Road to the end, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 103 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 103, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 103 for the necessary Partial Take in Fee Simple for Right-of-Way, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Stacy Street from Haverhill Road to the end, 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, a Partial Take in Fee Simple of the property identified as Parcel 103 is necessary for right-of-way, thereon with the construction to be undertaken by Palm Beach County as to Stacy Street from Haverhill Road to the end, thereon and adjacent thereto. The right-of-way Partial Take in Fee Simple of the parcel is granted upon the condition that the construction limits shall not extend beyond the limits outlined in the legal description of said property; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Stacy Street from Haverhill Road to the end; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

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

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:

| | |
|------------------------------|-------|
| John F. Koons, Chairman | _____ |
| Burt Aaronson, Vice Chairman | _____ |
| Karen T. Marcus | _____ |
| Shelley Vana | _____ |
| Steven L. Abrams | _____ |
| Jess R. Santamaria | _____ |
| District 7 | _____ |

The Chairman thereupon declared the Resolution passed and adopted this _____ day of _____, 2009.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
**STACY STREET ROADWAY IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2008904**

SAFETY

Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The proposed Stacy Street roadway improvements will enhance overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been performed 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 constructing the Stacy Street Roadway Improvements had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design 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 the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Stacy Street has only one outlet at Haverhill Road. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the roadway improvements does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

The proposed Stacy Street Improvements will mainly be constructed within existing road right-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the construction of the Stacy Street Roadway Improvements.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR ROADWAY IMPROVEMENTS

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way except for two triangular parcels of private property at each end of Stacy Street. The triangular parcels are required to provide safe sight distance at the street intersections and minor drainage connections. Forcing realignment of Stacy Street to avoid the need for the parcels is not feasible.

TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way. Multiple temporary construction easements are included to facilitate harmonizing between the new roadway and existing properties along both sides of the road. Forcing realignment of Stacy Street to avoid the need for the easements is not feasible.

Exhibit "B" to
Resolution
1 of 2

PARCEL 103

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE CENTERLINE OF STACY STREET BEARING N89°26'01"W. NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; R/W = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION; D.B. = DEED BOOK; O.R.B. = OFFICIAL RECORDS BOOK

DESCRIPTION:

A PORTION OF TRACTS 3 AND 4, PLAT OF HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 4; THENCE S89°26'01"E, ALONG THE SOUTH LINE OF SAID TRACT 4, A DISTANCE OF 448.41 FEET TO THE POINT OF BEGINNING; THENCE N79°36'04"E, 20.00 FEET; THENCE N40°33'39"E, 54.34 FEET; THENCE N08°30'37"E, 13.16 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HAVERHILL ROAD, PER DEED BOOK 794, PAGE 47 OF SAID PUBLIC RECORDS; THENCE S01°22'02"W, ALONG SAID RIGHT-OF-WAY LINE, 33.72 FEET; THENCE S45°58'01"W, ALONG AN EXISTING RIGHT-OF-WAY LINE PER OFFICIAL RECORDS BOOK 10757, PAGE 1860 OF SAID PUBLIC RECORDS, A DISTANCE OF 35.25 FEET TO A POINT ON AFORESAID SOUTH LINE OF TRACT 4; THENCE N89°26'01"W, ALONG SAID SOUTH LINE, 30.81 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 661 SQUARE FEET (0.02 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 6, 2008.



KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

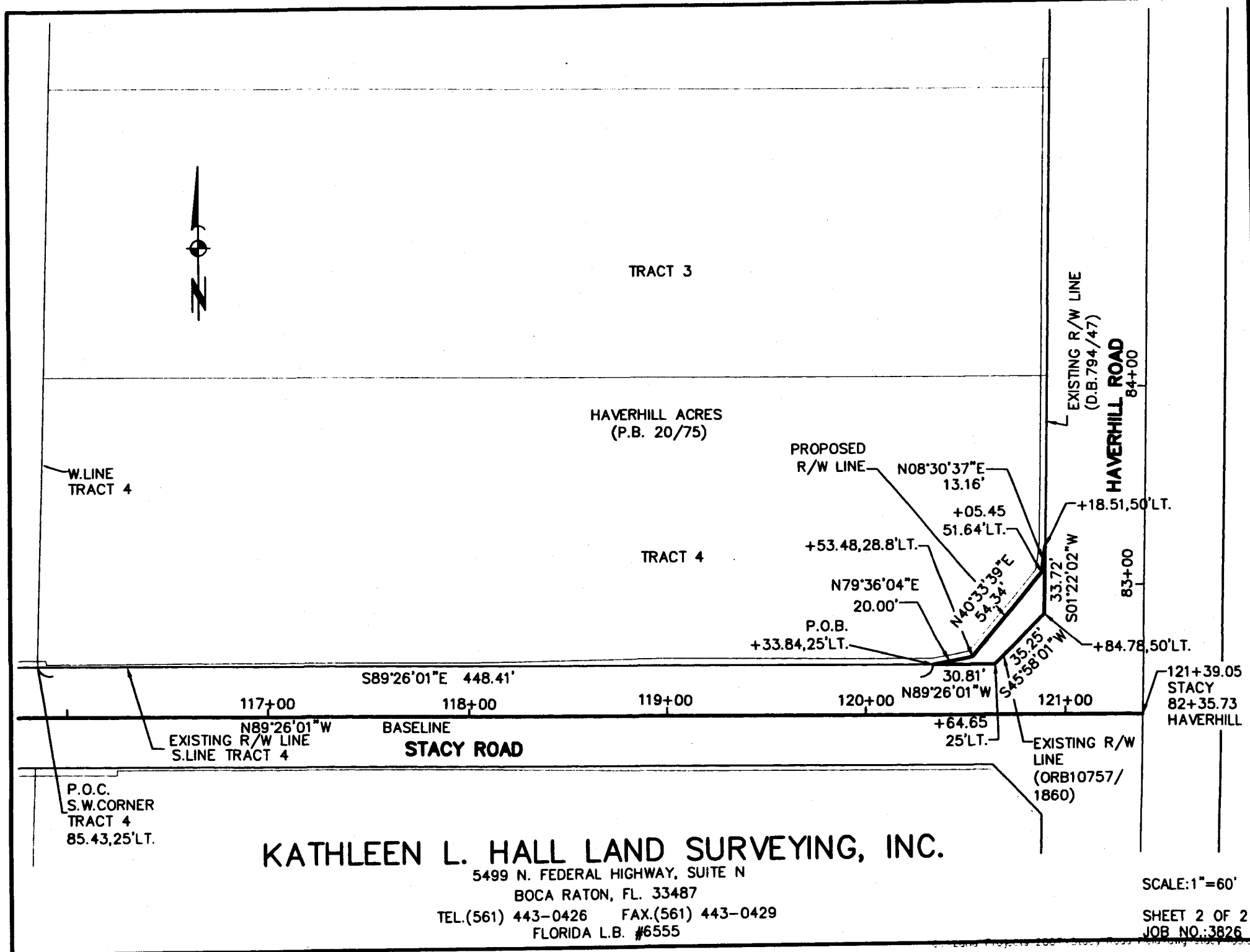
KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487

TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

REV.: 8/28/08
DATE: 8/6/08
SHEET 1 OF 2
JOB NO.: 3826

Exhibit "B" to
Resolution
2012



KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

SCALE: 1"=60'

SHEET 2 OF 2
JOB NO.: 3826

RESOLUTION NO. R2009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 217 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF STACY STREET FROM HAVERHILL ROAD TO THE END, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Stacy Street from Haverhill Road to the end, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 217 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 217, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 217 for the necessary Temporary Construction Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Stacy Street from Haverhill Road to the end, 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, a Temporary Construction Easement on property identified as Parcel 217 is necessary for the purpose of tying in and harmonizing said property and driveways, walkways, etc., thereon with the construction and improvement to be undertaken by Palm Beach County as to Stacy Street from Haverhill Road to the end, adjacent thereto. This Temporary Construction Easement is granted upon the condition that the sloping and/or grading upon and above said land shall not extent beyond the limits outlined in the legal description of said property. This Temporary Construction Easement shall expire two years from the date of acquisition or upon the acceptance of the completed construction by the Palm Beach County Board of County Commissioners, whichever is earlier; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Stacy Street from Haverhill Road to the end; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Temporary Construction Easement.

The foregoing Resolution was offered by Commissioner _____,

who moved its adoption. The motion was seconded by Commissioner _____,

and upon being put to a vote, the vote was as follows:

| | |
|------------------------------|-------|
| John F. Koons, Chairman | _____ |
| Burt Aaronson, Vice Chairman | _____ |
| Karen T. Marcus | _____ |
| Shelley Vana | _____ |
| Steven L. Abrams | _____ |
| Jess R. Santamaria | _____ |
| District 7 | _____ |

The Chairperson thereupon declared the Resolution passed and adopted this _____ day of _____, 2009.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
**STACY STREET ROADWAY IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2008904**

SAFETY

Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The proposed Stacy Street roadway improvements will enhance overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been performed 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 constructing the Stacy Street Roadway Improvements had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design 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 the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Stacy Street has only one outlet at Haverhill Road. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the roadway improvements does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

The proposed Stacy Street Improvements will mainly be constructed within existing road right-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the construction of the Stacy Street Roadway Improvements.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR ROADWAY IMPROVEMENTS

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way except for two triangular parcels of private property at each end of Stacy Street. The triangular parcels are required to provide safe sight distance at the street intersections and minor drainage connections. Forcing realignment of Stacy Street to avoid the need for the parcels is not feasible.

TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way. Multiple temporary construction easements are included to facilitate harmonizing between the new roadway and existing properties along both sides of the road. Forcing realignment of Stacy Street to avoid the need for the easements is not feasible.

Exhibit "B" to
Resolution
1 of 2

PARCEL 217
(TEMPORARY CONSTRUCTION EASEMENT)

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE CENTERLINE OF STACY STREET BEARING N89°26'01"W. NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; RW = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION

DESCRIPTION:

A PORTION OF TRACT 5, PLAT OF HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 5; THENCE S89°26'01"E, ALONG THE NORTH LINE OF SAID TRACT 5, A DISTANCE OF 200.02 FEET; THENCE S01°23'28"W, ALONG THE EAST LINE OF WEST 200 FEET OF SAID TRACT, A DISTANCE OF 1.50 FEET; THENCE N89°26'01"W, ALONG A LINE 1.50 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 159.66 FEET; THENCE S00°33'59"W, 2.50 FEET; THENCE N89°26'01"W, ALONG A LINE 4.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, 40.39 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 5; THENCE N01°23'28"E, ALONG SAID WEST LINE, 4.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 401 SQUARE FEET (0.01 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 6, 2008.



KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

REV.:8/28/08
DATE:8/6/08
SHEET 1 OF 2
JOB NO.: 3826

Exhibit "B" to
Resolution
2 of 2

PARCEL 217



TRACT 4

P.O.B.
N.W. CORNER
TRACT 5

+84.66, 25' RT.
116+00

STACY ROAD

117+00

N89°26'01"W BASELINE

S01°23'28"W

4.00'

4'

+25
26.5' RT

EXISTING R/W LINE
N. LINE TRACT 5

+84.68
25' RT

S89°26'01"E 200.02'

+84.61
29' RT.

40.39'
N89°26'01"W

+25
29' RT

S00°33'59"W
2.50'

1.5'

159.66'
N89°26'01"W

+84.66
26.5' RT

S01°23'28"W
1.50'

TRACT 5
HAVERHILL ACRES
(P.B. 20/75)

E. LINE
W. 200' TRACT 5

200'

W. LINE
TRACT 5

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487

TEL. (561) 443-0426 FAX. (561) 443-0429
FLORIDA L.B. #6555

SCALE: 1" = 30'

SHEET 2 OF 2
JOB NO.: 3826

RESOLUTION NO. R2009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 219 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF STACY STREET FROM HAVERHILL ROAD TO THE END, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Stacy Street from Haverhill Road to the end, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 219 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 219, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 219 for the necessary Temporary Construction Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Stacy Street from Haverhill Road to the end, 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, a Temporary Construction Easement on property identified as Parcel 219 is necessary for the purpose of tying in and harmonizing said property and driveways, walkways, etc., thereon with the construction and improvement to be undertaken by Palm Beach County as to Stacy Street from Haverhill Road to the end, adjacent thereto. This Temporary Construction Easement is granted upon the condition that the sloping and/or grading upon and above said land shall not extent beyond the limits outlined in the legal description of said property. This Temporary Construction Easement shall expire two years from the date of acquisition or upon the acceptance of the completed construction by the Palm Beach County Board of County Commissioners, whichever is earlier; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Stacy Street from Haverhill Road to the end; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Temporary Construction Easement.

The foregoing Resolution was offered by Commissioner _____,

who moved its adoption. The motion was seconded by Commissioner _____,

and upon being put to a vote, the vote was as follows:

| | |
|------------------------------|-------|
| John F. Koons, Chairman | _____ |
| Burt Aaronson, Vice Chairman | _____ |
| Karen T. Marcus | _____ |
| Shelley Vana | _____ |
| Steven L. Abrams | _____ |
| Jess R. Santamaria | _____ |
| District 7 | _____ |

The Chairperson thereupon declared the Resolution passed and adopted this _____ day of _____, 2009.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
**STACY STREET ROADWAY IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2008904**

SAFETY

Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The proposed Stacy Street roadway improvements will enhance overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been performed 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 constructing the Stacy Street Roadway Improvements had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design 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 the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Stacy Street has only one outlet at Haverhill Road. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the roadway improvements does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

The proposed Stacy Street Improvements will mainly be constructed within existing road right-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the construction of the Stacy Street Roadway Improvements.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR ROADWAY IMPROVEMENTS

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way except for two triangular parcels of private property at each end of Stacy Street. The triangular parcels are required to provide safe sight distance at the street intersections and minor drainage connections. Forcing realignment of Stacy Street to avoid the need for the parcels is not feasible.

TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way. Multiple temporary construction easements are included to facilitate harmonizing between the new roadway and existing properties along both sides of the road. Forcing realignment of Stacy Street to avoid the need for the easements is not feasible.

Exhibit "B" to
Resolution
1 of 2

PARCEL 219
(TEMPORARY CONSTRUCTION EASEMENT)

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE CENTERLINE OF STACY STREET BEARING N89°26'01"W. NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; R/W = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION

DESCRIPTION:

THE NORTH 3.00 FEET OF THE EAST 20.00 FEET OF TRACT 10, PLAT OF HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 60 SQUARE FEET (0.001 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 6, 2008.



KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

REV.:8/28/08
DATE:8/6/08
SHEET 1 OF 2
JOB NO.: 3826

Exhibit "B" to
Resolution
2 of 2

PARCEL 219

HAVERHILL ACRES
(P.B. 20/75)

TRACT 40

TRACT 41



STACY ROAD

+34.66

N89°26'01"W

114+00

25'RT

S89°26'01"E

20.00'

115+00

BASELINE

EXISTING R/W LINE
N.LINE TRACT 10

N.E. CORNER
TRACT 10

+54.66, 25'RT

N01°23'28"E

3.00'

20.00'

N89°26'01"W

+34.62
28'RT

20'

+54.62

28'
RT

S01°23'28"W

3.00'

TRACT 9

TRACT 10

HAVERHILL ACRES
(P.B. 20/75)

E.LINE
TRACT 10

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487

TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

SCALE: 1"=30'

SHEET 2 OF 2
JOB NO.: 3826

RESOLUTION NO. R2009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 221 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF STACY STREET FROM HAVERHILL ROAD TO THE END, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Stacy Street from Haverhill Road to the end, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 221 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 221, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 221 for the necessary Temporary Construction Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Stacy Street from Haverhill Road to the end, 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, a Temporary Construction Easement on property identified as Parcel 221 is necessary for the purpose of tying in and harmonizing said property and driveways, walkways, etc., thereon with the construction and improvement to be undertaken by Palm Beach County as to Stacy Street from Haverhill Road to the end, adjacent thereto. This Temporary Construction Easement is granted upon the condition that the sloping and/or grading upon and above said land shall not extent beyond the limits outlined in the legal description of said property. This Temporary Construction Easement shall expire two years from the date of acquisition or upon the acceptance of the completed construction by the Palm Beach County Board of County Commissioners, whichever is earlier; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Stacy Street from Haverhill Road to the end; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Temporary Construction Easement.

The foregoing Resolution was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____,
and upon being put to a vote, the vote was as follows:

| | |
|------------------------------|-------|
| John F. Koons, Chairman | _____ |
| Burt Aaronson, Vice Chairman | _____ |
| Karen T. Marcus | _____ |
| Shelley Vana | _____ |
| Steven L. Abrams | _____ |
| Jess R. Santamaria | _____ |
| District 7 | _____ |

The Chairperson thereupon declared the Resolution passed and adopted this _____ day of _____, 2009.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
**STACY STREET ROADWAY IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2008904**

SAFETY

Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The proposed Stacy Street roadway improvements will enhance overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been performed 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 constructing the Stacy Street Roadway Improvements had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design 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 the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Stacy Street has only one outlet at Haverhill Road. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the roadway improvements does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

The proposed Stacy Street Improvements will mainly be constructed within existing road right-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the construction of the Stacy Street Roadway Improvements.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR ROADWAY IMPROVEMENTS

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way except for two triangular parcels of private property at each end of Stacy Street. The triangular parcels are required to provide safe sight distance at the street intersections and minor drainage connections. Forcing realignment of Stacy Street to avoid the need for the parcels is not feasible.

TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way. Multiple temporary construction easements are included to facilitate harmonizing between the new roadway and existing properties along both sides of the road. Forcing realignment of Stacy Street to avoid the need for the easements is not feasible.

Exhibit "B" to
Resolution
1072

PARCEL 221
(TEMPORARY CONSTRUCTION EASEMENT)

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE CENTERLINE OF STACY STREET BEARING N89°26'01"W. NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; RW = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION

DESCRIPTION:

A PORTION OF TRACTS 11 AND 12, PLAT OF HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 12; THENCE S89°26'01"E, ALONG THE NORTH LINE OF SAID TRACTS 12 AND 11, A DISTANCE OF 150.00 FEET; THENCE S01°23'28"W, ALONG THE WEST LINE OF THE EAST 45.00 FEET OF THE WEST HALF OF SAID LOT 11, A DISTANCE OF 2.00 FEET; THENCE N89°26'01"W, ALONG A LINE 2.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF TRACT 11, A DISTANCE OF 0.52 FEET; THENCE S00°33'59"W, 6.00 FEET; THENCE N89°26'01"W, ALONG A LINE 8.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF TRACTS 11 AND 12, A DISTANCE OF 21.12 FEET; THENCE N00°33'59"E, 6.50 FEET; THENCE N89°26'01"W, ALONG A LINE 1.5 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF TRACT 12, A DISTANCE OF 78.00 FEET; THENCE S33°23'42"W, 18.45 FEET; THENCE N89°26'01"W, ALONG A LINE 17.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF TRACT 12, A DISTANCE OF 40.58 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 12; THENCE N01°23'28"E, ALONG SAID WEST LINE, 17.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 1,067 SQUARE FEET (0.02 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 6, 2008.



KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

REV.:8/28/08
DATE:8/6/08
SHEET 1 OF 2
JOB NO.: 3826

Exhibit "B" to
Resolution
2 of 2

PARCEL 221

TRACT 38

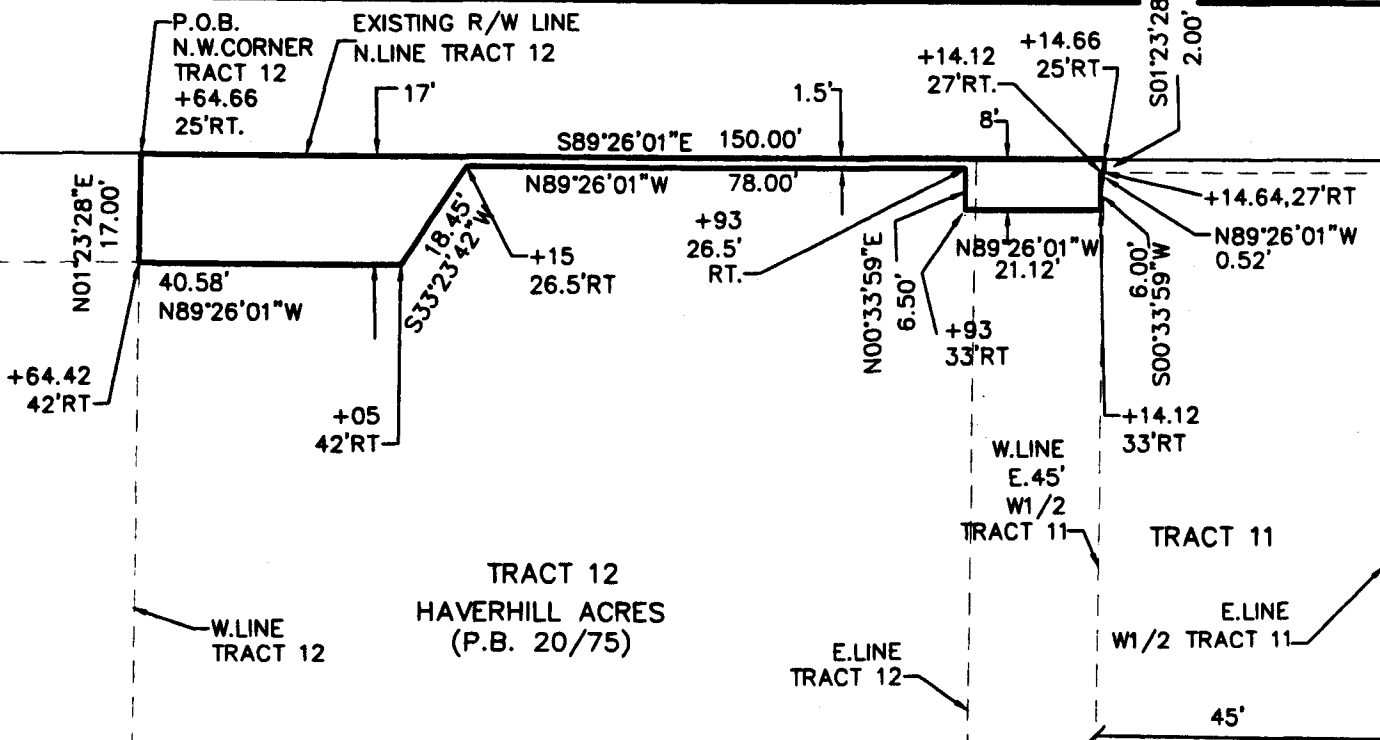
TRACT 39



STACY ROAD

111+00 BASELINE

N89°26'01"W 112+00



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FLORIDA L.B. #6555

SCALE: 1"=30'

SHEET 2 OF 2
JOB NO.: 3826

RESOLUTION NO. R2009

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 224 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF STACY STREET FROM HAVERHILL ROAD TO THE END, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, for the construction and improvement of Stacy Street from Haverhill Road to the end, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 224 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 224, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 224 for the necessary Temporary Construction Easement, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: the construction and improvement of Stacy Street from Haverhill Road to the end, 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, a Temporary Construction Easement on property identified as Parcel 224 is necessary for the purpose of tying in and harmonizing said property and driveways, walkways, etc., thereon with the construction and improvement to be undertaken by Palm Beach County as to Stacy Street from Haverhill Road to the end, adjacent thereto. This Temporary Construction Easement is granted upon the condition that the sloping and/or grading upon and above said land shall not extent beyond the limits outlined in the legal description of said property. This Temporary Construction Easement shall expire two years from the date of acquisition or upon the acceptance of the completed construction by the Palm Beach County Board of County Commissioners, whichever is earlier; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary for the construction and improvement of Stacy Street from Haverhill Road to the end; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Temporary Construction Easement.

The foregoing Resolution was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____,
and upon being put to a vote, the vote was as follows:

| | |
|------------------------------|-------|
| John F. Koons, Chairman | _____ |
| Burt Aaronson, Vice Chairman | _____ |
| Karen T. Marcus | _____ |
| Shelley Vana | _____ |
| Steven L. Abrams | _____ |
| Jess R. Santamaria | _____ |
| District 7 | _____ |

The Chairperson thereupon declared the Resolution passed and adopted this _____ day of _____, 2009.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
**STACY STREET ROADWAY IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2008904**

SAFETY

Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The proposed Stacy Street roadway improvements will enhance overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been performed 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 constructing the Stacy Street Roadway Improvements had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design 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 the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Stacy Street has only one outlet at Haverhill Road. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the roadway improvements does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

The proposed Stacy Street Improvements will mainly be constructed within existing road right-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the construction of the Stacy Street Roadway Improvements.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR ROADWAY IMPROVEMENTS

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way except for two triangular parcels of private property at each end of Stacy Street. The triangular parcels are required to provide safe sight distance at the street intersections and minor drainage connections. Forcing realignment of Stacy Street to avoid the need for the parcels is not feasible.

TEMPORARY CONSTRUCTION EASEMENTS FOR ROADWAY

In coordination with and support of the proposed school construction, Stacy Street will be widened and provided with sidewalks along both sides of the road. The widening and associated sidewalks will occupy the full available right-of-way. All construction will be within existing right-of-way. Multiple temporary construction easements are included to facilitate harmonizing between the new roadway and existing properties along both sides of the road. Forcing realignment of Stacy Street to avoid the need for the easements is not feasible.

Exhibit "B" to
Resolution
10f2

PARCEL 224
(TEMPORARY CONSTRUCTION EASEMENT)

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE CENTERLINE OF STACY STREET BEARING N89°26'01"W. NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; RW = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION

DESCRIPTION:

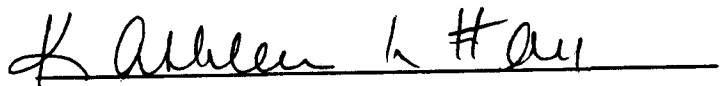
A PORTION OF TRACT 15, PLAT OF HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 15; THENCE S89°26'01"E, ALONG THE NORTH LINE OF SAID TRACT 15, A DISTANCE OF 130.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE S01°23'28"W, ALONG THE EAST LINE OF SAID TRACT, 3.50 FEET; THENCE N89°26'01"W, ALONG A LINE 3.50 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, 24.61 FEET; THENCE S00°33'59"W, 4.50 FEET; THENCE N89°26'01"W, ALONG A LINE 8.0 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, 30.00 FEET; THENCE N00°33'59"E, 6.00 FEET; THENCE N89°26'01"W, ALONG A LINE 2.0 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, 75.37 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE N01°23'28"E, ALONG SAID WEST LINE, 2.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 477 SQUARE FEET (0.01 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 6, 2008.



KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

KATHLEEN L. HALL LAND SURVEYING, INC.

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