

Agenda Item # :

3-C-8

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 19, 2009

☒ Consent

☐ Regular

☐ Workshop

☐ Public Hearing

Department:

Submitted By: Engineering and Public Works

Submitted For: Right-of-Way Acquisition Section

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to adopt:** A Resolution re-designating a parcel of Palm Beach County (County) owned land at the northeast corner of Gun Club Road and Military Trail as road right-of-way.

**SUMMARY:** This action will allow the Property and Real Estate Management Division (PREM) to satisfy the Engineering Department's requirements for expanded intersections, requiring PREM to dedicate land to be used as right-of-way for Gun Club Road.

District 2 (PK)

**Background and Justification:** PREM was required in its first site plan approval for development at Four Points, to dedicate property which would provide a right-of-way width measuring 60.50 feet right-of-way from the centerline of Gun Club Road. The parcel of County owned land is located at the northeast corner of Gun Club Road and Military Trail. The property is currently under the jurisdiction of PREM and they have voluntarily agreed to this dedication and re-designation of the required right-of-way. The legal description for the property to be re-designated, containing 6,021.337 square feet or 0.138 acres, is attached as Exhibit "A".

**Attachments:**

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

Recommended by:

Division Director

Date

Approved by:

Deoy T. Webb  
County Engineer

5/4/09  
Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
ADDITIONAL FTE	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
POSITIONS (Cumulative)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Is Item Included In Current Budget? Yes _____					No

Budget Account No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
Reporting Category

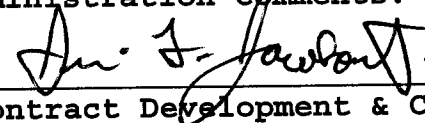

### B. Recommended Sources of Funds/Summary of Fiscal Impact: N/A

*No fiscal impact.*

### C. Departmental Fiscal Review: *atwillite*

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Administration Comments:

 5/11/09  
OFMB  5/9/09  
Contract Development & Control

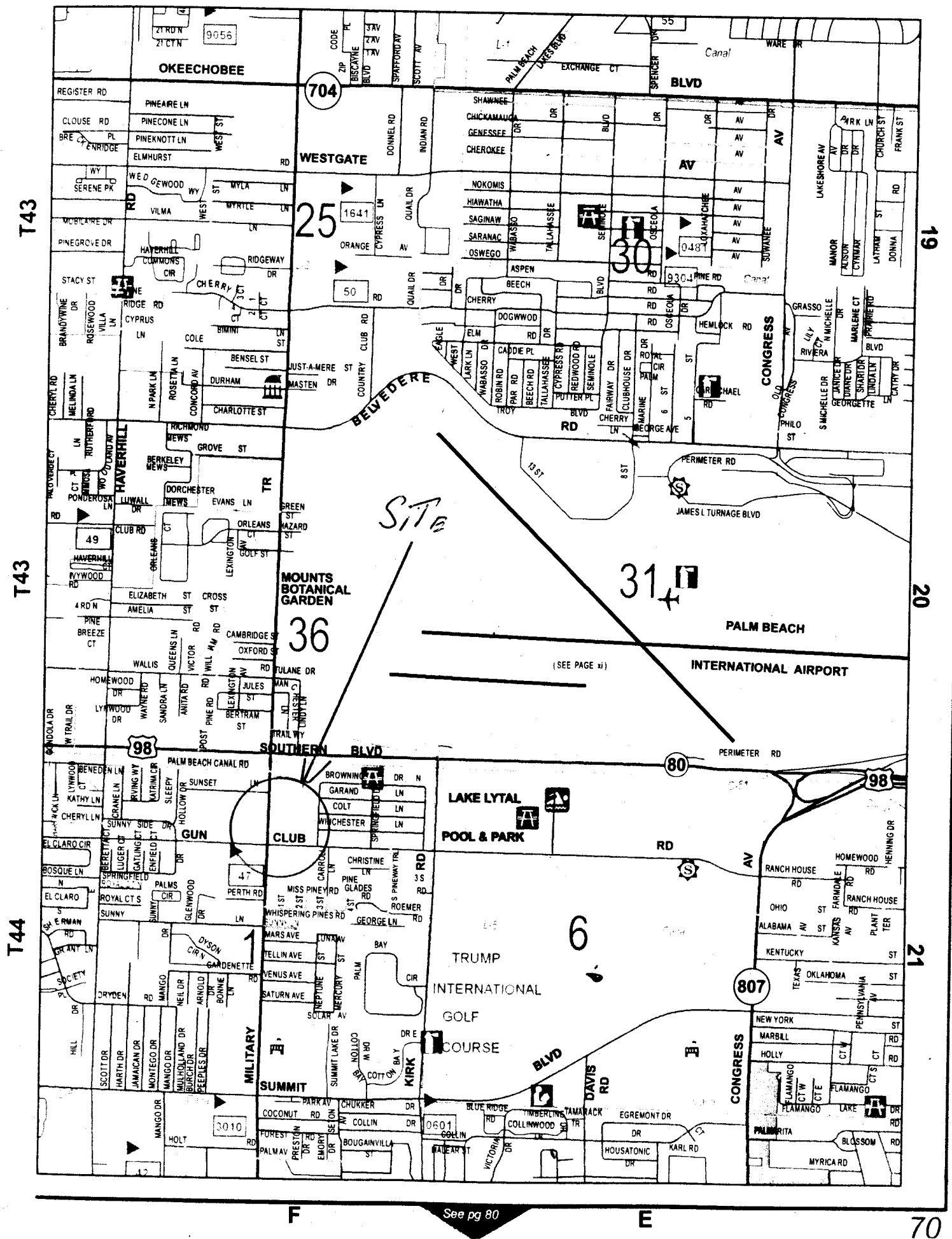
### B. Legal Sufficiency:

 5/13/09  
Assistant County Attorney

### C. Other Department Review:

Department Director

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



**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RE-DESIGNATING COUNTY-OWNED PROPERTY AS RIGHT-OF-WAY, AS NEEDED FOR THE EXPANDED INTERSECTION AT THE NORTHEAST CORNER OF THE INTERSECTION OF GUN CLUB ROAD AND MILITARY TRAIL**

**WHEREAS**, Palm Beach County (County) is the owner of certain real property, identified in Exhibit "A", attached hereto and made a part hereof, which is located at the northeast corner of Gun Club Road and Military Trail,

**WHEREAS**, The original site plan approval requires that right-of-way at the corner of Gun Club Road and Military Trail be re-designated as county right-of-way for an expanded intersection ; and,

**WHEREAS**, the County Property and Real Estate Management Division has agreed to voluntarily re-designate the parcel of land described in Exhibit "A" as right-of-way and the Traffic Division of the County Engineering Department has approved such re-designation and,

**WHEREAS**, it is therefore appropriate to re-designate the parcel in Exhibit "A", attached hereto and made a part hereof, as right-of-way.

**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. That the Chair of the Board and the Clerk are hereby authorized to re-designate the County-owned property, identified in Exhibit "A", as 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 Chair

Karen T. Marcus

Shelley Vana

Steven L. Abrams

Jess R. Santamaria

District 7

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

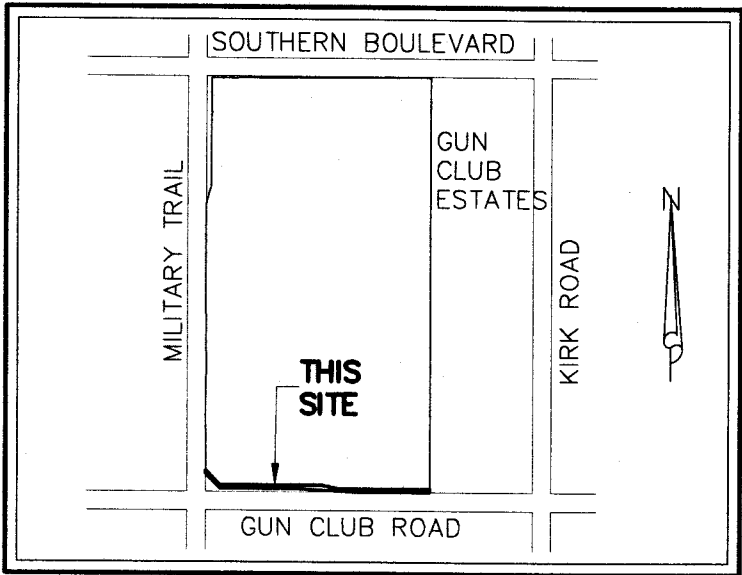
PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK AND COMPTROLLER

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

BY: \_\_\_\_\_  
Deputy Clerk

SKETCH & DESCRIPTION



LOCATION MAP  
NOT TO SCALE

*Dennis J. Leavy*  
A. BOWER  
03-13-09

SURVEY NOTES:

1. BEARINGS DEPICTED HEREON ARE RELATIVE TO THE WEST LINE OF THE PLAT OF GUN CLUB ESTATES AS RECORDED IN PLAT BOOK 24, PAGE 189 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING A BEARING OF NORTH 01°27'22" EAST, BASED UPON THE NORTH AMERICAN DATUM OF 1983, ON THE 1990 ADJUSTMENT FOR THE FLORIDA TRANSVERSE MERCATOR – EAST ZONE.
2. THIS INSTRUMENT NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
4. THE LICENSE BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599 AND THE CERTIFYING SURVEYORS LICENSE NUMBER IS 5888.
5. THIS IS NOT A SURVEY.

DENNIS J. LEAVY & ASSOCIATES, INC.  
LAND SURVEYORS \* MAPPERS  
460 BUSINESS PARK WAY SUITE B  
ROYAL PALM BEACH, FLORIDA 33411  
PHONE: (561) 753-0650 FAX: (561) 753-0290

SKETCH & DESCRIPTION  
For: Palm Beach County  
Property & Real Estate Management Division

DRAWN: EB	SCALE: N/A	DATE: 2/26/09
CKD.: DJL	JOB# 08-095-SD	SHEET 1 OF 6

SKETCH & DESCRIPTION

DESCRIPTION:

A variable width strip of land lying within a portion of Tract 4, Block 1, Section 1, Township 44 South, Range 42 East, Plat No. 1 (Sheet No. 1) Palm Beach Plantations, (Model Land Company), as recorded in Plat Book 10, Page 20 of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

Beginning at the Southwest corner of the Plat of Gun Club Estates as recorded in Plat Book 24, Page 189 of the Public Records of Palm Beach County, Florida; thence North 01°27'22" East (as Basis of Bearings) along the West line of said Plat, a distance of 9.50 feet to a point being on a line lying 49.50 feet North of and parallel with (as measured at right angles) the south line of said Tract 4, Block 1; thence North 88°47'43" West along said parallel line, a distance of 246.49 feet; thence North 76°22'39" West a distance of 51.15 feet to a point being on a line lying 60.50 feet North of and parallel with (as measured at right angles) the South line of said Tract 4, Block 1; thence North 88°47'43" West along said parallel line, a distance of 280.00 feet; thence North 43°40'56" West, a distance of 56.46 feet to a point being on the East right-of-way line of Military Trail as recorded in Road Plat Book 2, Page 229 of the Public Records of Palm Beach County Florida; thence South 01°25'52" West, along said East right-of-way line, a distance of 9.50 feet; thence South 43°40'56" East, a distance of 56.46 feet; thence South 88°47'43" East, a distance of 200.00 feet; thence South 85°17'54" East, a distance of 180.34 feet; thence South 88°47'43" East, a distance of 196.44 feet to the Southwest of said corner of Gun Club Estates and the Point of Beginning. The preceding four (4) courses and distances being coincident with the North right-of-way line of Gun Club Road according to the Palm Beach County Commission Resolution R-90-1130 as recorded in Official Record Books 8487, Page 432, of the Public Records of Palm Beach County, Florida.

Said lands situate, lying and being in Section 1, Township 44 South, Range 42 East, Palm Beach County, Florida.

Containing 6,021.337 square feet or 0.138 acres more or less.

LEGEND:

- O.R.B. = OFFICIAL RECORD BOOK

P.B. = PLAT BOOK

P.B.C.R. = PALM BEACH COUNTY RECORDS

PG. = PAGE
- P.O.B. = POINT OF BEGINNING

R/W = RIGHT-OF-WAY

Ⓢ = CENTERLINE

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For: Palm Beach County  
Property & Real Estate Management Division

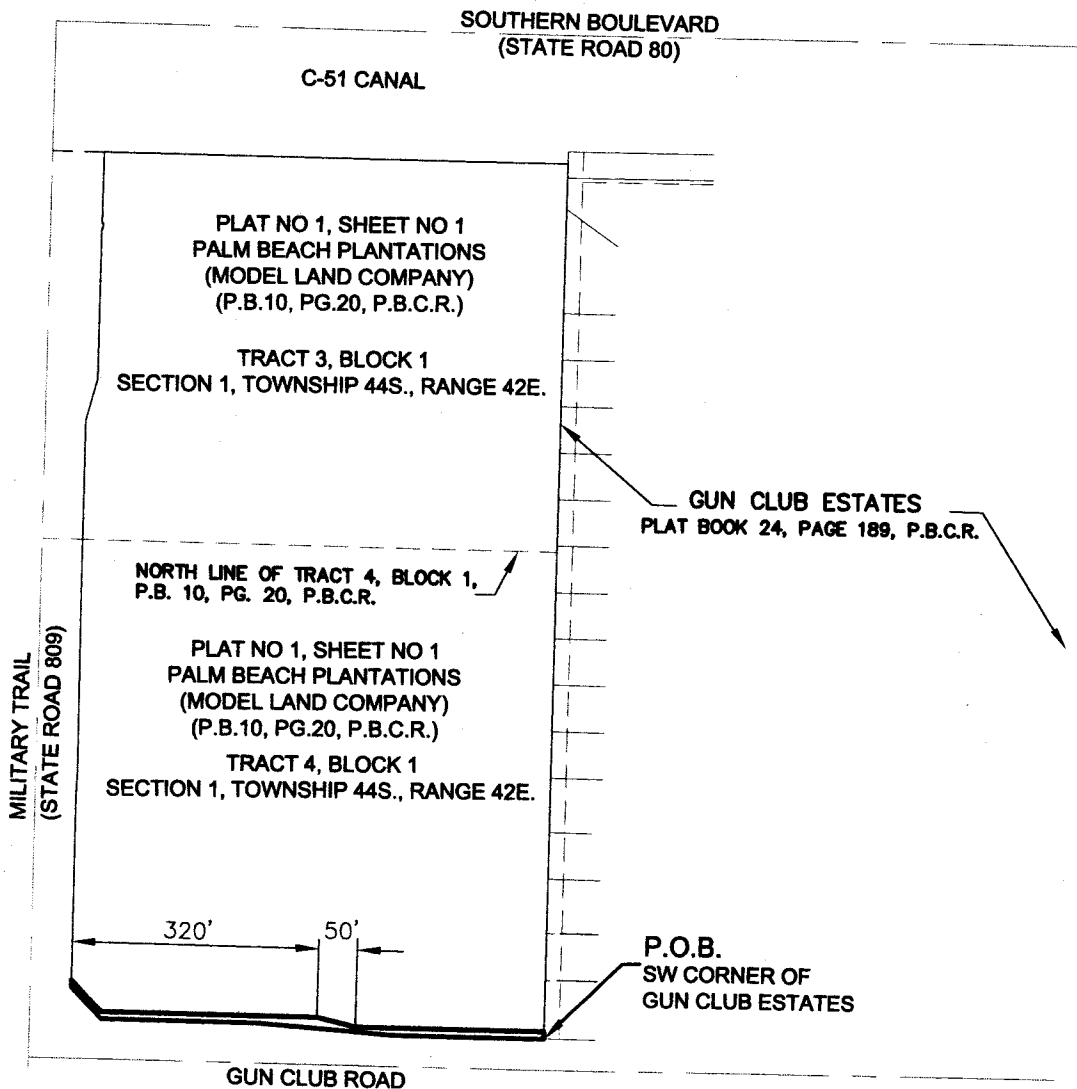
DRAWN: EB	SCALE: N/A	DATE: 02/26/09
CKD.: DJL	JOB# 08-095-SD	SHEET 2 OF 6

## SKETCH & DESCRIPTION

250 125 0 250



GRAPHIC SCALE IN FEET  
SCALE: 1" = 250'

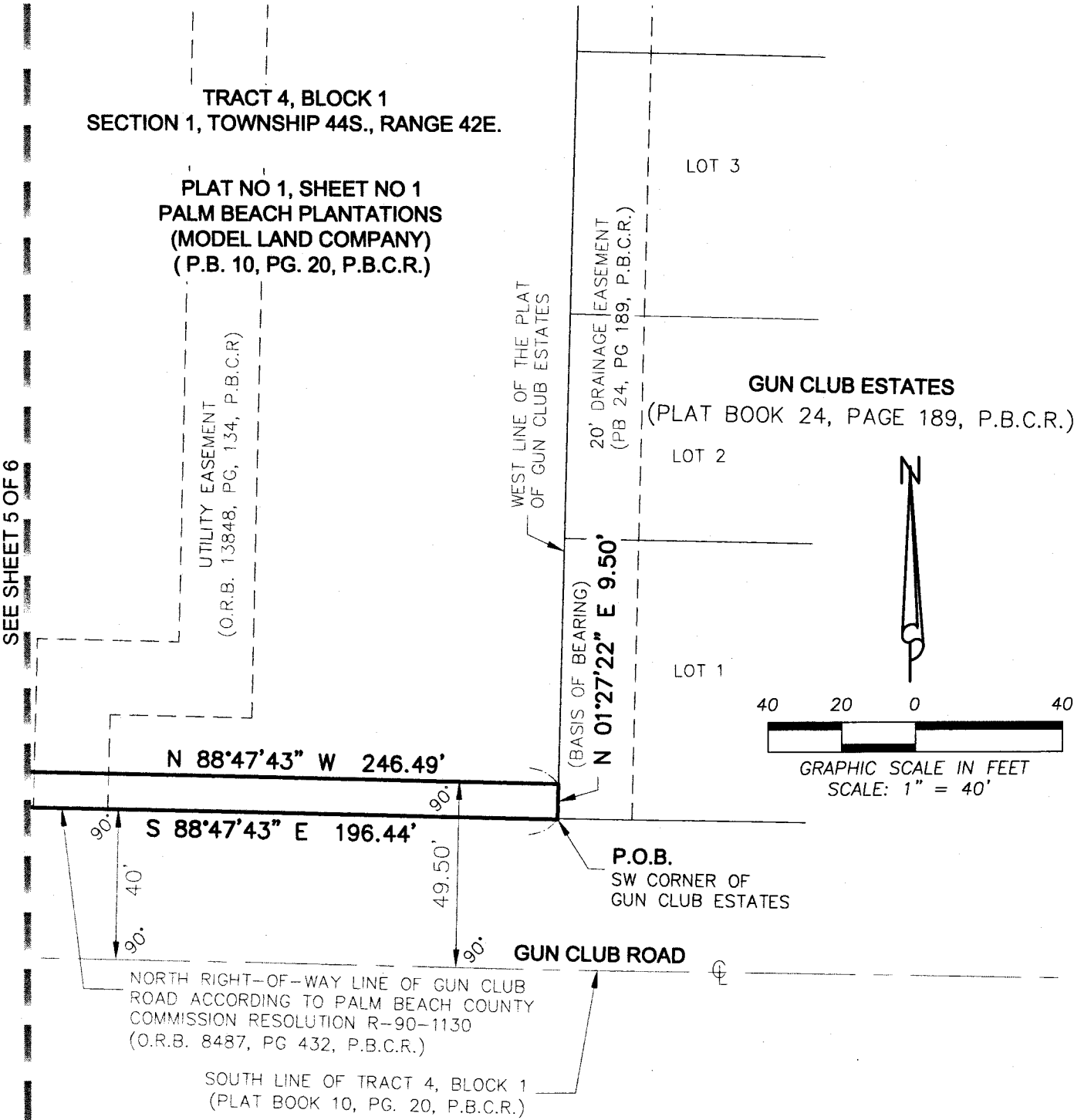


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SKETCH & DESCRIPTION  
For: Palm Beach County  
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DRAWN: EB	SCALE: 1" = 250'	DATE: 2/26/09
CKD.: DJL	JOB# 08-095-SD	SHEET 3 OF 6

SKETCH & DESCRIPTION



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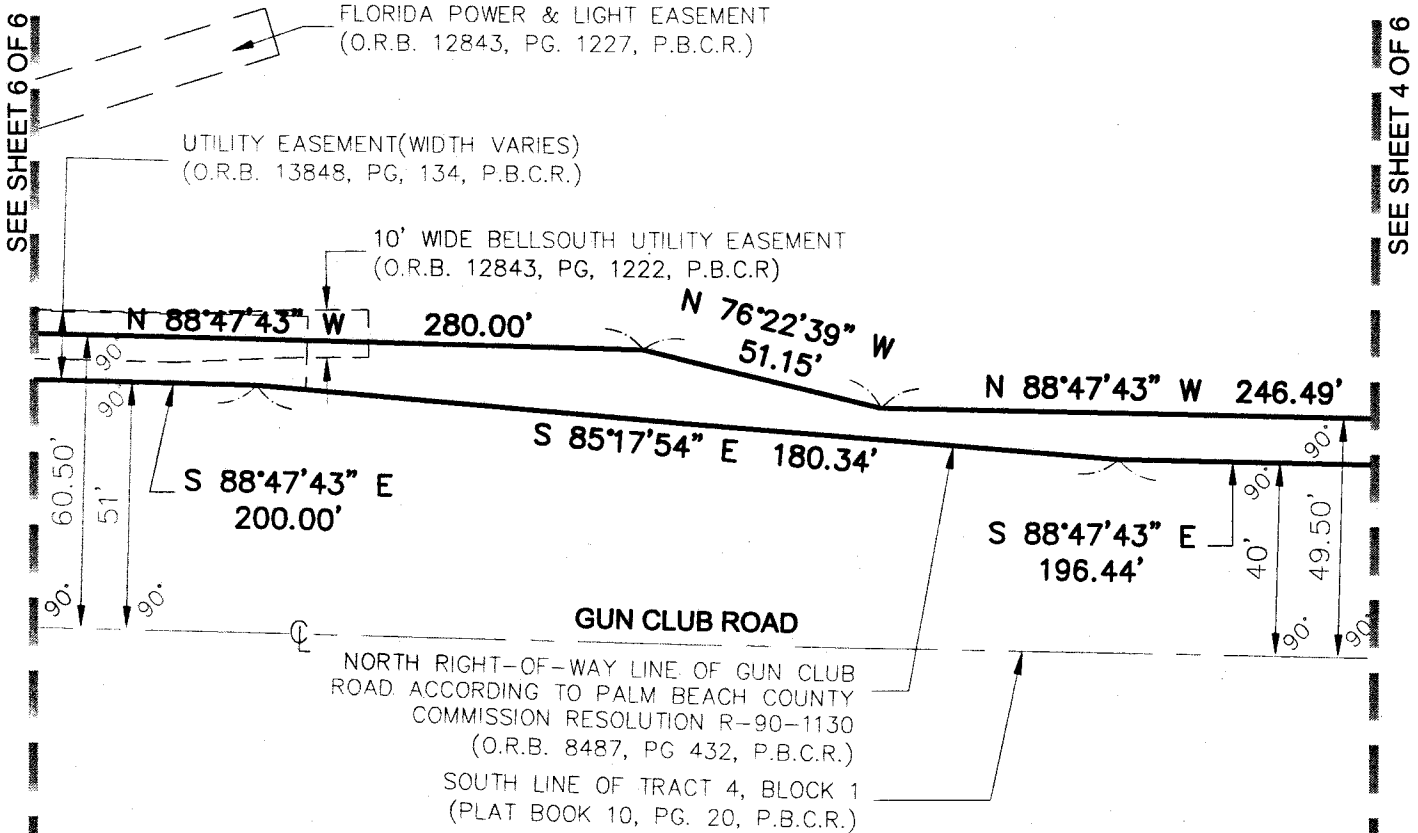
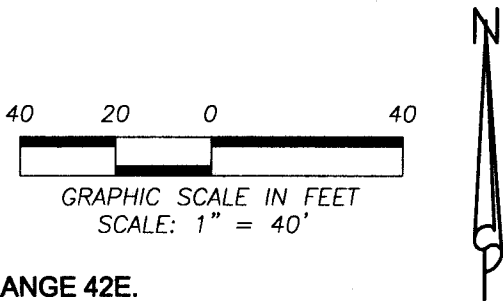
SKETCH & DESCRIPTION  
For: Palm Beach County  
Property & Real Estate Management Division

DRAWN: EB	SCALE: 1" = 40'	DATE: 2/26/09
CKD.: DB	JOB#08-95-SD	SHEET 4 OF 6

**SKETCH & DESCRIPTION**

TRACT 4, BLOCK 1  
SECTION 1, TOWNSHIP 44S., RANGE 42E.

PLAT NO 1, SHEET NO 1  
PALM BEACH PLANTATIONS  
(MODEL LAND COMPANY)  
(P.B. 10, PG. 20, P.B.C.R.)

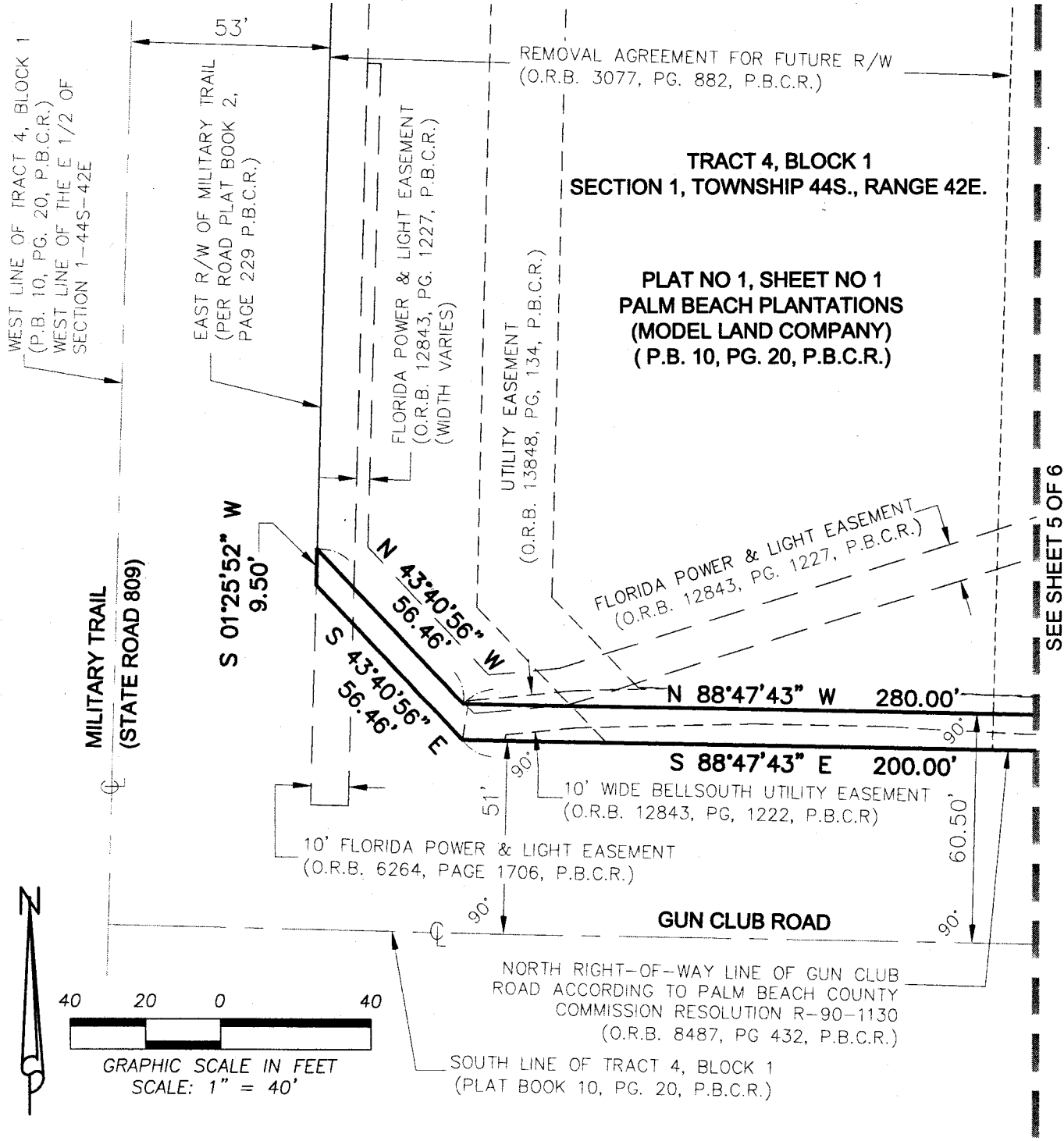


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