

Agenda Item # : **3-C-2**

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

Meeting Date: June 29, 2010

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 declaring Palm Beach County (County) owned land as right-of-way for Belvedere Road.

SUMMARY: Adoption of this Resolution will allow declaration of County owned land (Department of Airports) as right-of-way for Belvedere Road.

District 2(PK)

Background and Justification: The Palm Beach County Department of Airports (DOA) controls several parcels of County owned land on the north side of Belvedere Road, to the east of Country Club Road. As part of the May 2009 rezoning process, the Board accepted the commitment to dedicate this property as road right of way. Therefore, the DOA is requesting that the needed property be declared as right-of-way.

Staff has reviewed this request and recommends that the property be declared as right-of-way.

Attachments:

- 1. Location Map
- 2. Copy of request letter from DOA
- 3. Resolutions with Exhibit "A" (2)

Recommended by: _____

Division Director

Date

Approved by: _____

A. J. Webb
County Engineer

6/29/10
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</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

This item has no fiscal impact.

C. Departmental Fiscal Review: atwillhite .

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

 Diaz 6/10/10 An-Jawent 6/11/10
OFMB Contract Dev and Control

B. Legal Sufficiency:

 Paul F. [Signature] 6/11/10
Assistant County Attorney

C. Other Department Review:

Department Director

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

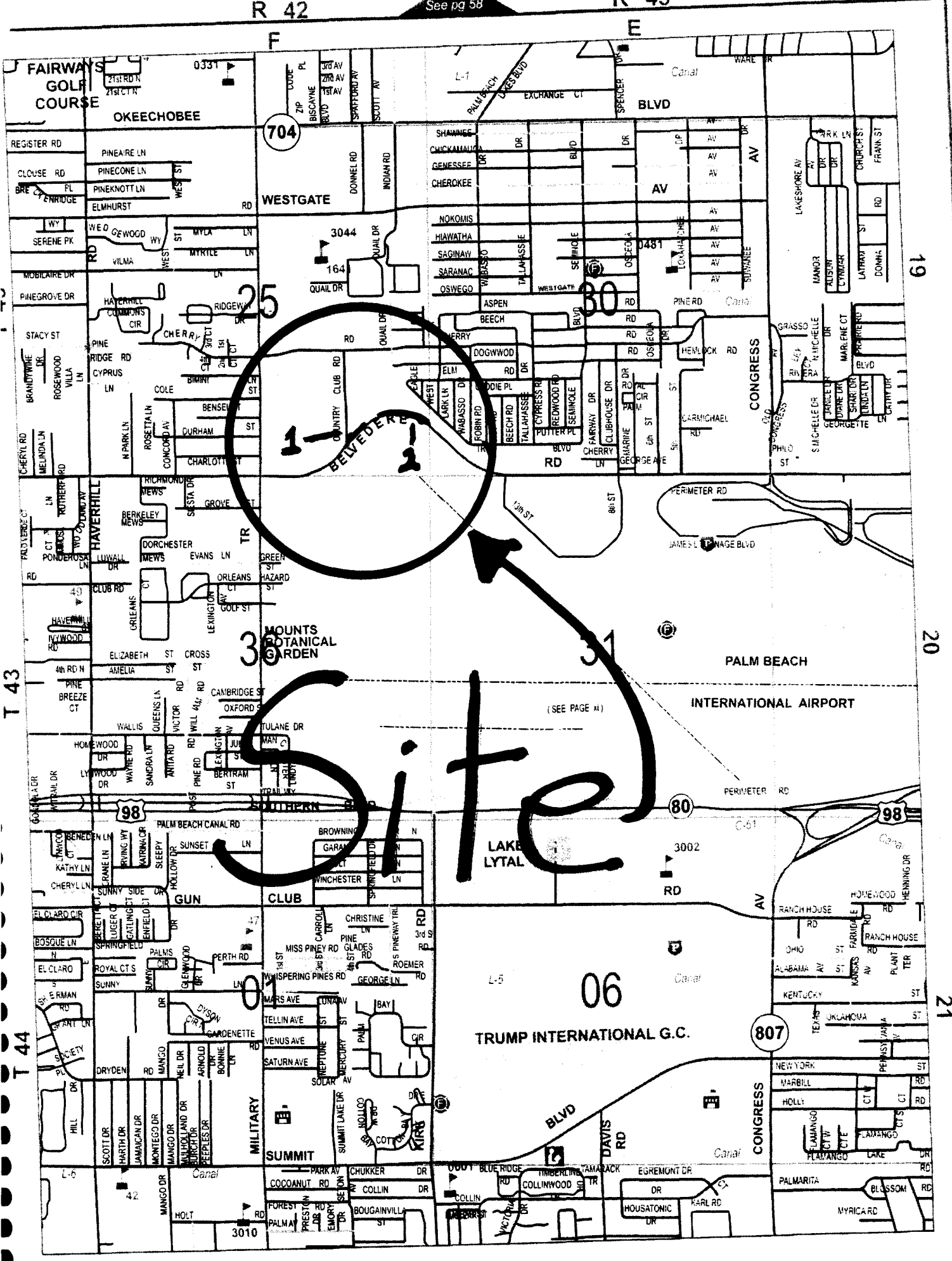
Location Map

70

R 42

See pg 58

R 43



Site

FAIRWAYS
GOLF
COURSE

OKEECHOBEE

WESTGATE

BLVD

AV

RD

CONGRESS

PALM BEACH

INTERNATIONAL AIRPORT

TRUMP INTERNATIONAL G.C.

CONGRESS

See pg 80

70

Copy of
letter

PALM BEACH COUNTY
BOARD OF COUNTY
COMMISSIONERS
Burt Aaronson, Chair
Karen T. Marcus, Vice Chair
Jeff Koons
Shelley Vana
Steven L. Abrams
Jess R. Santamaria
Priscilla A. Taylor

COUNTY ADMINISTRATOR
Robert Weisman

DEPARTMENT OF AIRPORTS



May 12, 2010

Ms. Kat Chopin
Palm Beach County Engineering
Right of Way Section
2300 N. Jog Road
West Palm Beach, FL 33411-2745

RE: **PBIA Properties – Parcel E Country Club Drive**
Request for Dedication of Right-of-Way for Belvedere Road

Dear Ms. Chopin,

The Palm Beach County Department of Airports ("DOA") controls several parcels of property on the north side of Belvedere Road, to the east and west of Country Club Road. As part of the rezoning process, Palm Beach County Engineering/Land Development is requiring the dedication of additional right-of-way along the Belvedere Road frontage. In anticipation of the submission of a forthcoming Plat Waiver application for these properties, and to comply with a Voluntary Commitment included in Resolution R-2009-0891, the DOA requests that the Palm Beach County Right-of-Way Section proceed to the Palm Beach County Board of County Commission with a declaration of this property for right-of-way purposes.

A sketch and legal description for this additional right-of-way has been prepared by Palm Beach County Survey and provided to you under separate cover.

Sincerely,

A handwritten signature in black ink that reads "Jerry L. Allen".

Jerry L. Allen, A.A.E., Deputy Director
Palm Beach County Department of Airports

cc: Collene Walter, UDKS
File

846 PALM BEACH INTERNATIONAL AIRPORT
West Palm Beach, Florida 33406-1470
(561) 471-7412 FAX: (561) 471-7427 www.pbia.org

PALM BEACH COUNTY GLADES AIRPORT
Pahokee

PALM BEACH COUNTY PARK AIRPORT
Lantana

NORTH COUNTY GENERAL AVIATION AIRPORT
Palm Beach Gardens

An Equal Opportunity-Affirmative Action Employer

RESOLUTION NO. R2010-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING COUNTY-OWNED PROPERTY AS RIGHT-OF-WAY, AS NEEDED FOR BELVEDERE ROAD.

WHEREAS, Palm Beach County is the owner of certain property, controlled by the Department of Airports, identified in Exhibit "A", attached hereto and made a part hereof; and,

WHEREAS, the property identified in Exhibit "A" is needed for Belvedere Road; and,

WHEREAS, it is therefore appropriate to declare the property in Exhibit "A" 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 declare 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:

Burt Aaronson, Chair	_____
Karen T. Marcus, Vice Chair	_____
Jeff Koons	_____
Shelley Vana	_____
Steven L Abrams	_____
Jess R. Santamaria	_____
Priscilla A. Taylor	_____

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2010.

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

Exhibit "A"
to Resolution
105

EXHIBIT "A"
BELVEDERE ROAD RIGHT-OF-WAY PARCEL
PBIA PROPERTIES PARCEL E

PARCEL NO. 1

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES LYING IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE NORTH 88°31'29" WEST ALONG THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 1342.29 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE NORTH 01°29'46" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1250.00 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 8184, PAGE 948 OF SAID PUBLIC RECORDS; THENCE SOUTH 88°51'10" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO THE EXISTING RIGHT-OF-WAY LINE OF COUNTRY CLUB ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 812, PAGE 537 ALSO BEING THE SOUTHWEST CORNER OF THE ADDITIONAL RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORD BOOK 6417, PAGE 219 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH 88°51'10" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 10.00 FEET TO THE EAST LINE OF SAID OFFICIAL RECORD BOOK 6417, PAGE 219; THENCE SOUTH 01°29'46" EAST ALONG THE SOUTHERLY EXTENSION OF SAID EAST LINE ALSO BEING A LINE LYING 10.00 FEET EAST OF (AS MEASURED AT RIGHT ANGLE TO) AND PARALLEL WITH SAID EAST RIGHT-OF-WAY LINE DESCRIBED IN OFFICIAL RECORD BOOK 812, PAGE 537, A DISTANCE OF 7.25 FEET; THENCE CONTINUE SOUTH 02°54'09" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 391.15 FEET; THENCE CONTINUE SOUTH 01°29'46" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 204.12 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 66°54'23" EAST, A DISTANCE OF 46.49 FEET TO A LINE LYING 2.00 FEET NORTHERLY OF (AS MEASURED AT RIGHT ANGLE TO) AND PARALLEL WITH THE EXISTING NORTH RIGHT-OF-WAY LINE OF BELVEDERE ROAD AS SHOWN ON ROAD BOOK 4, PAGE 205 OF SAID PUBLIC RECORDS; THENCE NORTH 44°41'29" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 184.69 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 818.94 FEET; THENCE CONTINUE ALONG SAID PARALLEL LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°07'04", AN ARC DISTANCE OF 301.84 FEET TO A NON-TANGENT LINE BEING THE NORTHERLY RIGHT-OF-WAY LINE AS DESCRIBED IN DEED BOOK 1080, PAGE 50 OF SAID PUBLIC RECORDS; THENCE SOUTH 44°41'29" WEST ALONG NON-TANGENT NORTHERLY LINE, A DISTANCE OF 5.60 FEET TO SAID EXISTING NORTH RIGHT-OF-WAY LINE OF BELVEDERE ROAD AND A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 816.94 FEET (A RADIAL LINE FROM SAID POINT BEARS SOUTH 24°33'26" EAST); THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°45'05", AN ARC DISTANCE OF 295.88 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE SOUTH 44°41'29" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 201.42 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE CONTINUE WESTERLY ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 136°48'18", AN ARC DISTANCE OF 59.69 FEET TO THE POINT OF TANGENCY; THENCE NORTH 01°29'46" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTRY CLUB ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 812, PAGE 537 OF SAID PUBLIC RECORDS, A DISTANCE OF 13.57 FEET; THENCE SOUTH 88°30'14" EAST AT RIGHT ANGLES TO SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.342 SQUARE FEET OR 0.0538 ACRES MORE OR LESS

TOGETHER WITH

PARCEL NO. 2

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES LYING IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE NORTH 01°34'10" EAST ALONG THE EAST LINE OF SAID SECTION 25, A DISTANCE OF 846.16 FEET TO THE EXISTING NORTH RIGHT-OF-WAY LINE OF BELVEDERE ROAD AS SHOWN ON ROAD BOOK 4, PAGE 205 OF SAID PUBLIC RECORDS AND A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 816.94 FEET (A RADIAL LINE FROM SAID POINT BEARS SOUTH 39°49'49"

2009013-14 SHEET 1 OF 5	PROJECT: RIGHT-OF-WAY PARCELS PBIA PROPERTIES PARCEL E	DESIGNED BY: E.A.O.	CHECKED BY: N.J.H.	DATE: 04/19/10	REVISION:	BY:	DATE:
	DESIGN FILE NAME: S-1-10-3097.DGN	DRAWING NO.: S-1-10-3097	PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2800 NORTH JOG ROAD WEST PALM BEACH, FL 33411				

Exhibit "A"
to Resolution
2 of 5

WEST) AND THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $57^{\circ}32'03''$, AN ARC DISTANCE OF 820.34 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE AS DESCRIBED IN DEED BOOK 1080, PAGE 50 OF SAID PUBLIC RECORDS; THENCE NORTH $44^{\circ}41'29''$ EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 4.30 FEET TO A LINE LYING 2.00 FEET NORTHERLY OF (AS MEASURED AT RIGHT ANGLE TO) AND PARALLEL WITH THE EXISTING NORTH RIGHT-OF-WAY LINE OF BELVEDERE ROAD AS SHOWN ON ROAD BOOK 4, PAGE 205 OF SAID PUBLIC RECORDS AND A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 818.94 FEET (A RADIAL LINE FROM SAID POINT BEARS SOUTH $17^{\circ}26'15''$ EAST); THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $58^{\circ}12'26''$, AN ARC DISTANCE OF 831.97 FEET TO A NON-TANGENT LINE BEING THE SOUTHERLY BOUNDARY LINE OF GOLFVIEW HEIGHTS ACCORDING TO PLAT BOOK 24, PAGE 104 OF SAID PUBLIC RECORDS; THENCE SOUTH $45^{\circ}13'31''$ EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 57.21 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE OF BELVEDERE ROAD AND THE POINT OF CUSP OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 816.94 FEET (A RADIAL LINE FROM SAID POINT BEARS SOUTH $44^{\circ}46'32''$ WEST); THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $04^{\circ}56'42''$, AN ARC DISTANCE OF 70.51 TO SAID EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 25 AND THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.706 SQUARE FEET OR 0.0392 ACRES MORE OR LESS

LEGEND

PBIA = PALM BEACH INTERNATIONAL AIRPORT	☉ = CENTERLINE
POC = POINT OF COMMENCEMENT	RB = ROAD BOOK
ORB = OFFICIAL RECORD BOOK	PB = PLAT BOOK
POB = POINT OF BEGINNING	DB = DEED BOOK
PO CUSP = POINT OF CUSP	R = RADIUS
R/W = RIGHT OF WAY	Δ = CENTRAL ANGLE
PG = PAGE	L = ARC LENGTH

SURVEYOR'S NOTES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.000038450
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

TWO PARCELS COMBINED CONTAIN 4.048 SQUARE FEET OR 0.0929 ACRES MORE OR LESS.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

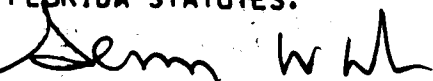
THIS IS NOT A SURVEY.

IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER @ VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


GLENN W. MARK, P.L.S.
FLORIDA CERTIFICATE #5304

5/3/10
DATE

Exhibit "A"
to Resolution
3 of 5

EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST "PALM BEACH COUNTY POSITION"

860867.780
948994.790



EAST LINE OF THE
SOUTHEAST QUARTER
OF SECTION 25,
TOWNSHIP 43 SOUTH,
RANGE 42 EAST

CHERRY ROAD

SCALE: 1" = 300'

THIS IS NOT A SURVEY

EAST R/W LINE PER
ORB 6417, PG 219

SOUTHERLY BOUNDARY
LINE OF GOLFVIEW
HEIGHTS PER PB 24,
PG 104

SOUTH LINE OF
PROPERTY PER
ORB 8184, PG 948

NORTHERLY R/W
LINE PER DB
1080, PG 50

SHEET 4 OF 5

R/W
PARCEL
NO. 1

R/W
PARCEL
NO. 2

NORTH LINE OF THE
PLAT OF BMC REPLAT NO. 1
PER PB 111, PG 24

NORTHEAST CORNER OF
ORB 16348, PG 1517

SOUTHEAST CORNER OF THE
NORTH QUARTER OF THE
SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF
SECTION 25, TOWNSHIP 43
SOUTH, RANGE 42 EAST

EAST LINE OF THE PLAT
OF BMC REPLAT NO. 1
PER PB 111, PG 24

NORTH R/W LINE
PER RB 4, PG 205

SHEET 5 OF 5

WEST LINE OF THE SOUTHEAST
QUARTER OF THE SOUTHEAST QUARTER
OF SECTION 25, TOWNSHIP 43 SOUTH,
RANGE 42 EAST

SOUTHWEST CORNER OF THE SOUTHEAST
QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST

858157.577
948920.539

SOUTH LINE OF THE SOUTHEAST QUARTER OF
SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST

POC

858226.691
946236.754
SOUTH QUARTER CORNER OF SECTION 25,
TOWNSHIP 43 SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"

SOUTHEAST CORNER OF SECTION 25,
TOWNSHIP 43 SOUTH, RANGE 42 EAST
"PALM BEACH COUNTY POSITION"

N01°29'46"E
1250.00'

N01°34'10"E
846.16'

N88°31'29"W 1342.29'

Exhibit "A"
to Resolution
50fs

