Agenda Item #: 3-C-1

Agenda Item is over 50 pages; may be viewed in the Minutes Department

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 18, 2013	[X]	Consent Workshop	[]	Regular Public Hearing
Department:					
Submitted By: Engineering and Public Works					
Submitted For: Right-of-Way Acquisition Section	n				

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: 24 Resolutions to declare the acquisition of property designated as Parcels 101, 102, 103, 104, 105, 106, 107, and 108 as Perpetual Right-of-Way Easements; Parcels 201, 202, 203, 204, 205, 206, 207, and 208 as Permanent Easements; Parcels 302, 303, 304, 305, 306, and 307 as Temporary Construction Easements; Parcels 1 and 2 as Fee Simple Whole Take acquisitions necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project.

SUMMARY: The adoption of these Resolutions will initiate eminent domain proceedings against 24 parcels having a total appraised value of \$137,000.

District 6 (MRE)

Background and Justification: The property owners of Parcels 101, 102, 103, 104, 105, 106, 107, and 108 as Perpetual Right-of-Way Easements; Parcels 201, 202, 203, 204, 205, 206, 207, and 208 as Permanent Easements; Parcels 302, 303, 304, 305, 306, and 307 as Temporary Construction Easements; Parcels 1 and 2 as Fee Simple Whole Take acquisitions, have not accepted the offers to purchase made by Palm Beach County (County). It is therefore necessary to file eminent domain proceedings to acquire these parcels. The acquisition of these parcels is necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Boulevard to East of Royal Palm Beach Boulevard project which is shown on the current Five-Year Road Program. The project also includes reconstruction of the Royal Palm Beach Boulevard bridge over the M-Canal along with necessary pavement modifications on Royal Palm Beach Boulevard. The acquisition of these parcels is for a public purpose and necessity, which is deemed to be in the best interest of the County.

Attachments:

- 1. Location Map
- 2. Resolutions (24) with Exhibit "A" and Exhibit "B"

Recommended by:

Division Director

Approved by:

County Engineer

Date

SLW

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	\$137,000	-0-	-0-	0-	0-
Operating Costs	-0-	-0-	0-	0-	
External Revenues	-0-	-0-	-0-	0-	<u>-0-</u>
Program Income (County)	-0	-0-	-0-	-0-	
In-Kind Match (County)		-0-	-0-	-0-	0-
NET FISCAL IMPACT	\$137,000	-0-	-0-	-0-	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)		•			

Is Item Included in Current Budget? Ye

Yes X No

Budget Account No:

Fund 3503 Dept 361

Unit 1116

Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fees - Zone 3 Fund

Acreage Access Road - Persimmon Blvd. to 60^{th} Street

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

OFMB 2

Contract Dev, and Control

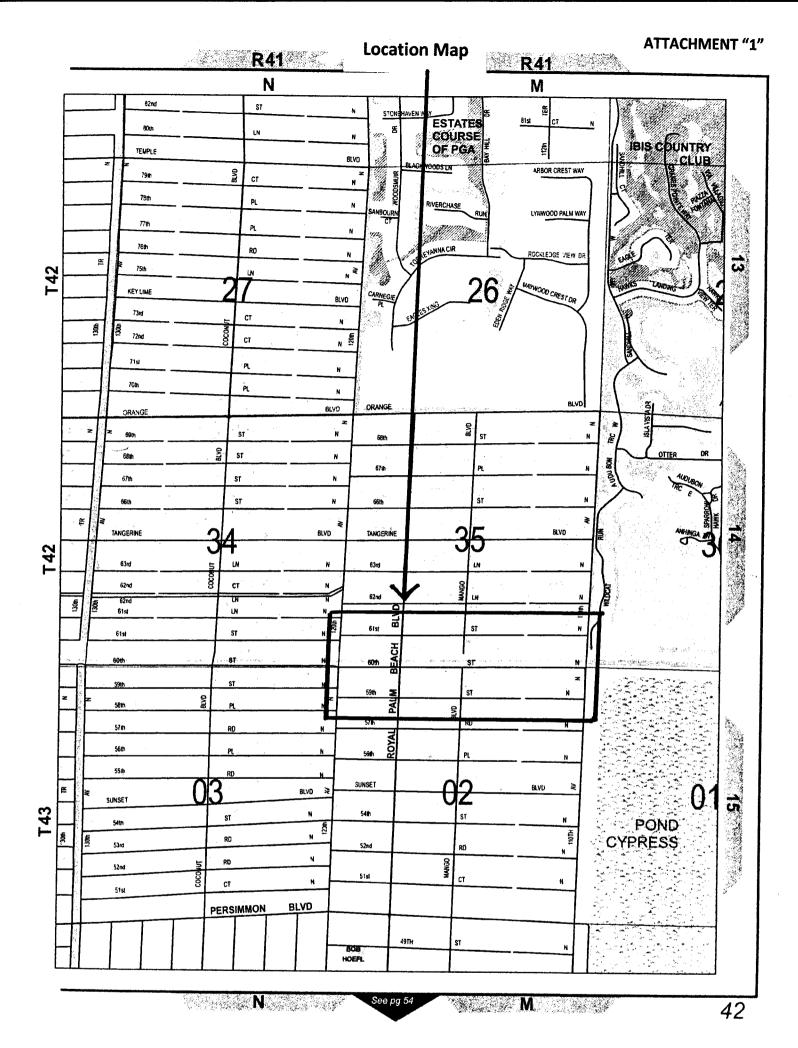
B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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



RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL PERPETUAL AS Α **RIGHT-OF-WAY** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 101 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 101 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	Comr	who	moved its	adoption.	The mot	ion wa	Commissioner s seconded by to a vote, the
		Commis	sioner Ste	even L. Al	orams, Ma	ıyor	
		Commis	sioner Pris	scilla A. Ta	aylor, Vice	Mayo	r
		Commis	sioner Hal	R. Valech	ne		
Commissioner Paulette Burdick							
Commissioner Shelley Vana						***************************************	
		Commiss	sioner Maı	y Lou Ber	ger		
		Commiss	sioner Jes	s R. Santa	amaria		
adopted this							ly passed and , 2013.
APPROVED AND LEGAL				FLO		Y ITS	JNTY, BOARD OF SIONERS
				Shar	on R. Boc	k, Clerk	& Comptroller
BY:				BY:_			·
County	Attorr	ney		[Deputy Cle	erk	

ROAD EASEMENT 101

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 688.66 FEET TO THE SOUTH LINE OF A 30' ROAD EASEMENT FOR 59th STREET NORTH, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID SOUTH LINE, N89'56'51"E FOR 40.02 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE CONTINUE N89'56'51"E FOR 25.00 FEET:

THENCE S43'45'38"W FOR 34.62 FEET;

THENCE SO4"23"34"W FOR 38.17 FEET TO THE SAID EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NO1°41'42"E FOR 63.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 369 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA NO. 4826
DATE: 10-4-12

E-Mail: info@brown-phillips.com		
BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES	ROAD EASEMEI	NT 101
CERTIFICATE OF AUTHORIZATION # LD 6477	PROJ. No. 05-056E	DRAWN: MB
11860 OLD OKEECHOBEE ROAD SHITE 500	LEGAL DESCRIPTION	SCALE: 1"=30'
WEST FALM BEACH, FLORIDA 33409	ROYAL PALM BEACH BLVD	DATE: 10/3/12
TELEPHONE (561)-615-3988, 615-3991 FAX		SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C. POINT OF COMMENCEMENT

STA - STATION

Rt - RIGHT

P.O.B. - POINT OF BEGINNING R - RADIUS

P.B. - PLAT BOOK

P.B. — PLAT BOOK R/W — RIGHT—OF—WAY Δ — CENTRAL ANGLE A — ARC LENGTH

ORB - OFFICIAL RECORD BOOK

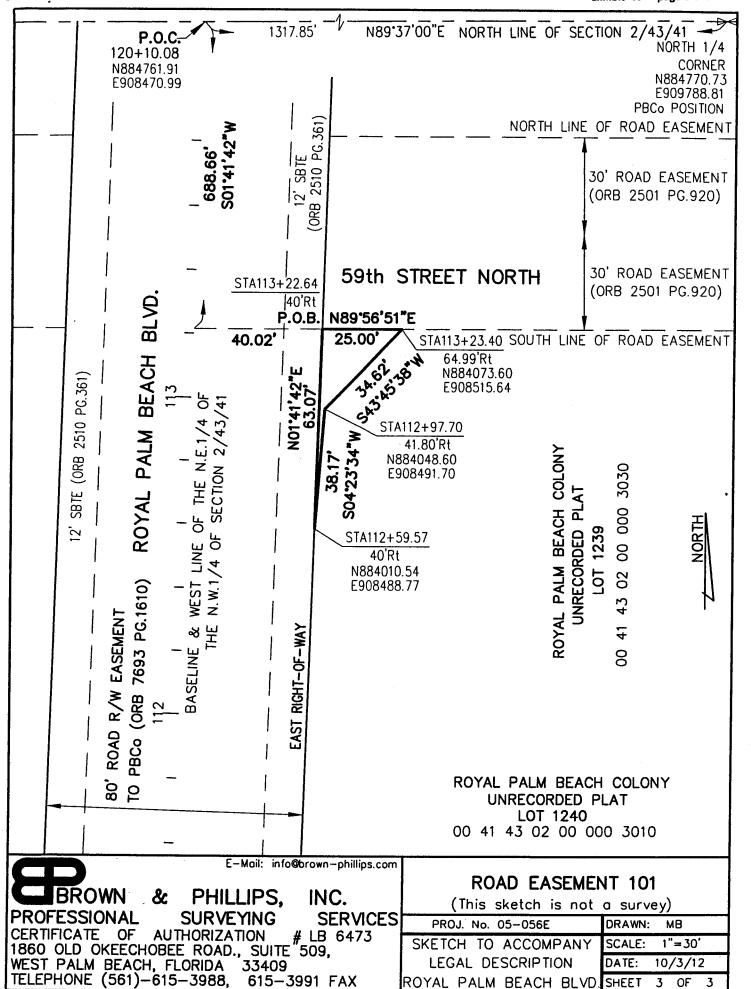
PBCo - PALM BEACH COUNTY

S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER N.W. CORNER PBCo POSITION PBCo POSITION BEARING BASIS DETAIL N884753.09 N884770.73 E907153.18 E909788.81

E-Mail: info@brown-phillips.com		
BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES	ROAD EASEME	NT 101
CERTIFICATE OF AUTHORIZATION # LB 6473	PROJ. No. 05-056E	DRAWN: MB
11860 OLD OKEECHOBEE ROAD. SUITE 509	DESCRIPTION NOTES	SCALE: 1"=30'
IWEST PALM BEACH, FLORIDA 33400	ROYAL PALM BEACH BLVD	DATE: 10/3/12
TELEPHONE (561)-615-3988, 615-3991 FAX	The trial Berton Bett	SHEET 2 OF 3



615-3991 FAX

ROYAL PALM BEACH BLVD

SHEET

OF 3

EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY. FLORIDA, **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL PERPETUAL **RIGHT-OF-WAY** Α ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 102 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 102, for a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 102 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

C	The foregoing who commissioner ote was as follo	moved its ad ,	option.	The motion	on was	seconded by
	Commis	ssioner Stever	n L. Ab	rams, Ma	yor	
	Commis	ssioner Priscill	la A. Ta	ylor, Vice	Mayor	
	Commis	ssioner Hal R.	Valech	е		
	Commis	ssioner Paulet	te Burd	ick		-
	Commis	sioner Shelle	y Vana			
	Commis	sioner Mary L	ou Ber	ger		
	Commis	sioner Jess F	R. Santa	ımaria		
adopted this	The Mayor the	ereupon decla	ared the	e Resolut of	ion dul	y passed and , 2013.
	AS TO FORM SUFFICIENCY	•	FL(UNTY CO	BY ITS DMMIS	BOARD OF SIONERS
				on K. Boc	k, Clerk	< & Comptroller
BY:	Attorney	<u></u>	BY:_	Deputy Cl	erk	194400 107107

ROAD EASEMENT 102

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 493.99 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'51'53"E FOR 40.02 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY, SO1'41'42"W FOR 134.71 FEET TO THE NORTH LINE, OF A 30' ROAD EASEMENT FOR 59th STREET NORTH, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID NORTH LINE, N89°56'51"E FOR 25.00 FEET;

THENCE N34"14'25"W FOR 28.10 FEET TO A LINE LYING 8.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID PARALLEL LINE, NO1°41'42"E FOR 111.47 FEET TO THE SAID SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2; THENCE ALONG SAID SOUTH LINE, S89°51'53"W FOR 8.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,337 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

OHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

DATE: 10-4-12

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC. **PROFESSIONAL** SURVEYING SERVICES # LB 6473 CERTIFICATE OF AUTHORIZATION 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

ROAD EASEMENT 102

PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
ROYAL PALM BEACH BLVD	DATE: 10/3/12
RUTAL PALM BEACH BLVD.	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE

 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY
- ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS: P.O.C.— POINT O

P.O.C.— POINT OF COMMENCEMENT P.O.B. — POINT OF BEGINNING R — RADIUS STA — STATION Rt — RIGHT P.B. — PLAT BOOK R/W — RIGHT—OF—WAY Δ — CENTRAL ANGLE A — ARC LENGTH PBCo — PALM BEACH COUNTY

ORB - OFFICIAL RECORD BOOK PBCo - PA S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER PBCo POSITION N884753.09 E907153.18

N89'37'00"E (G) 2635.69'

NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

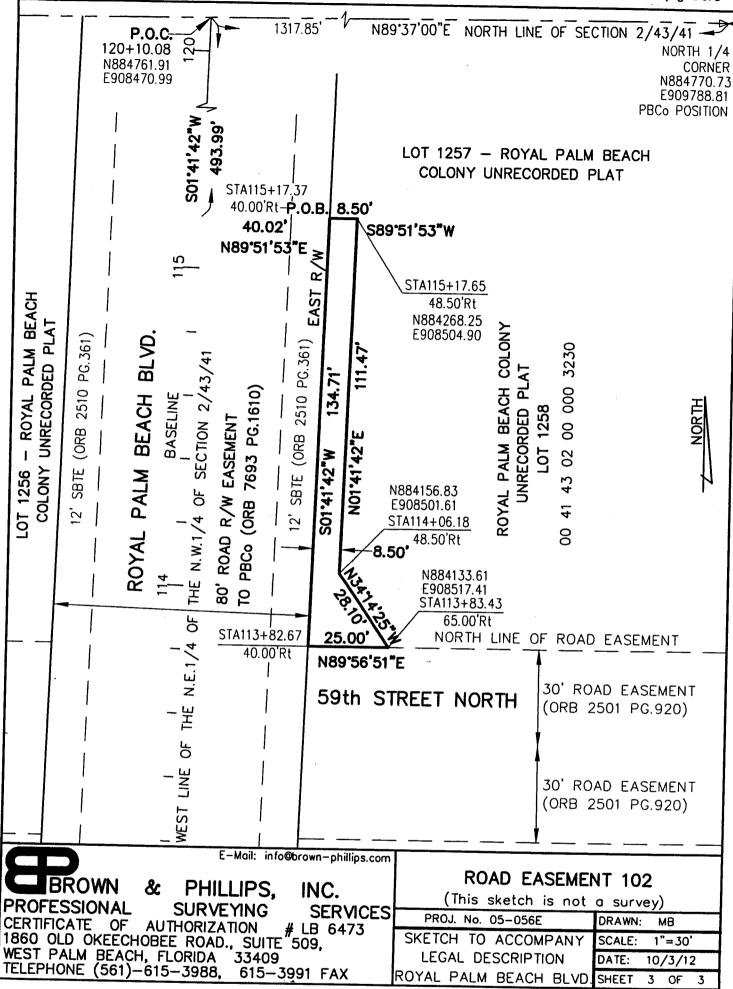
BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

ROAD EASEMENT 102

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES
ROYAL PALM BEACH BLVD

SHEET 2 OF 3



ROYAL PALM BEACH BLVD

SHEET

EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** 103. AS Α PERPETUAL **RIGHT-OF-WAY EASEMENT** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 103 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 103 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:

- This Board adopts and ratifies those matters set forth in the a. foregoing recitals.
- The County Engineer and County Attorney are authorized and b. 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- The County Engineer and County Attorney are hereby further C. 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

•			
Com	who move	olution was offered by C d its adoption. The motion was , and upon being put to	seconded by
	Commissioner	Steven L. Abrams, Mayor	
	Commissioner	Priscilla A. Taylor, Vice Mayor	
	Commissioner	Hal R. Valeche	
	Commissioner	Paulette Burdick	
	Commissioner	Shelley Vana	
	Commissioner	Mary Lou Berger	
	Commissioner	Jess R. Santamaria	
The adopted this	e Mayor thereupo	n declared the Resolution duly day of	passed and , 2013.
APPROVED AS AND LEGAL SUI		PALM BEACH COUI FLORIDA, BY ITS COUNTY COMMISS	BOARD OF IONERS
		Sharon R. Bock, Clerk	& Comptroller
BY:		BY:	
County Attor	rnev	Deputy Clerk	

County Attorney

ROAD EASEMENT 103

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 493.99 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89°51'53"E FOR 40.02 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY NO1'41'42"E FOR 164.72 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID NORTH LINE, N89'46'55"E FOR 20.51 FEET TO A LINE LYING 20.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID PARALLEL LINE, S01°41'42"W FOR 30.02 FEET TO THE SOUTH LINE OF A 30' DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID SOUTH LINE, S89'46'55"W FOR 12.01 FEET TO A LINE LYING 8.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY; THENCE ALONG SAID PARALLEL LINE, S01°41'42"W FOR 134.72 FEET TO THE SAID SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2; THENCE ALONG SAID SOUTH LINE, S89°51'53"W FOR 8.50 FEET TO THE POINT OF BEGINNING.

AND MAPPER NOTED HEREON.

CONTAINING 1,760 SQUARE FEET, MORE OR LESS.

BROWN

PROFESSIONAL

e-s

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR

> llevo JOHN E. PHILLIPS, III PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826 3-14-13 DATE:_

E-Mail: info@brown-phillips.com & PHILLIPS, INC. **SERVICES SURVEYING** 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

ROAD EASEMENT 103

PROJ. No. 05-056E DRAWN: MB 1"=30" SCALE: LEGAL DESCRIPTION 3/14/13 DATE: ROYAL PALM BEACH BLVD SHEET OF 1

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT
P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY
R — RADIUS Δ — CENTRAL ANGLE A — ARC LENGTH
ORB — OFFICIAL RECORD BOOK PBCo — PALM BEACH COUNTY
S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER PBCo POSITION N884753.09 F907153 18 N89'37'00"E (G) 2635.69'

NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

TELEPHONE (-561)—615—3988, 615—3991 FAX

ROAD EASEMENT 103

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES
ROYAL PALM BEACH BLVD

SHEET 2 OF 3

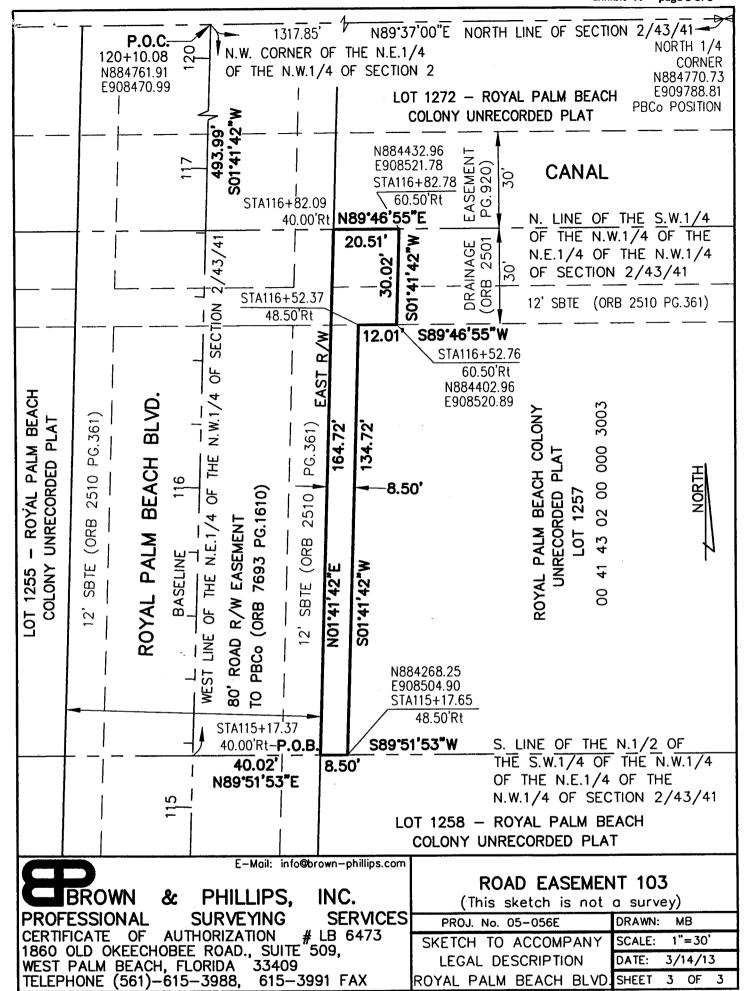


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL AS PERPETUAL **RIGHT-OF-WAY EASEMENT** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 104 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 104, for a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 104 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

		,	
Com	who moved	lution was offered by C its adoption. The motion was , and upon being put to	seconded by
	Commissioner S	Steven L. Abrams, Mayor	
	Commissioner F	Priscilla A. Taylor, Vice Mayor	
	Commissioner F	Hal R. Valeche	Make Annie A
	Commissioner F	Paulette Burdick	
	Commissioner S	Shelley Vana	
	Commissioner N	Mary Lou Berger	
	Commissioner J	ess R. Santamaria	
		declared the Resolution duly day of	
APPROVED AS ¹ AND LEGAL SUF		PALM BEACH COUNTY COMMISS	BOARD OF
		Sharon R. Bock, Clerk	& Comptroller
BY:		BY:	
County Attori	ney	Deputy Clerk	

ROAD EASEMENT 104

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2:

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01'41'42"W FOR 164.66 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE

THENCE ALONG SAID SOUTH LINE, N89°41'57"E FOR 40.02 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING:

THENCE ALONG SAID RIGHT-OF-WAY SO1'41'42"W FOR 164.72 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SAID SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'46'55"E FOR 20.51 FEET TO A LINE LYING 20.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT—OF—WAY; THENCE ALONG SAID PARALLEL LINE, N01'41'42"E FOR 164.75 FEET TO THE SAID SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST THENCE ALONG SAID SOUTH LINE, S89'41'57"W FOR 20.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,377 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA NO. 4826
DATE: 10-4-12

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

PROJ. No. 05-056E DRAWN: MB

LEGAL DESCRIPTION SCALE: 1"=30'

ROYAL PALM BEACH BLVD

DATE: 10/3/12

SHEET

ROAD EASEMENT 104

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C. POINT OF COMMENCEMENT STA - STATION Rt - RIGHT P.O.B. - POINT OF BEGINNING P.B. - PLAT BOOK R/W - RIGHT-OF-WAY Δ - CENTRAL ANGLE A - ARC LENGTH R - RADIUS ORB - OFFICIAL RECORD BOOK PBCo - PALM BEACH COUNTY S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER N.W. CORNER PBCo POSITION PBCo POSITION BEARING BASIS DETAIL N884753.09 N884770.73 E907153.18 E909788.81

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING **SERVICES** CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

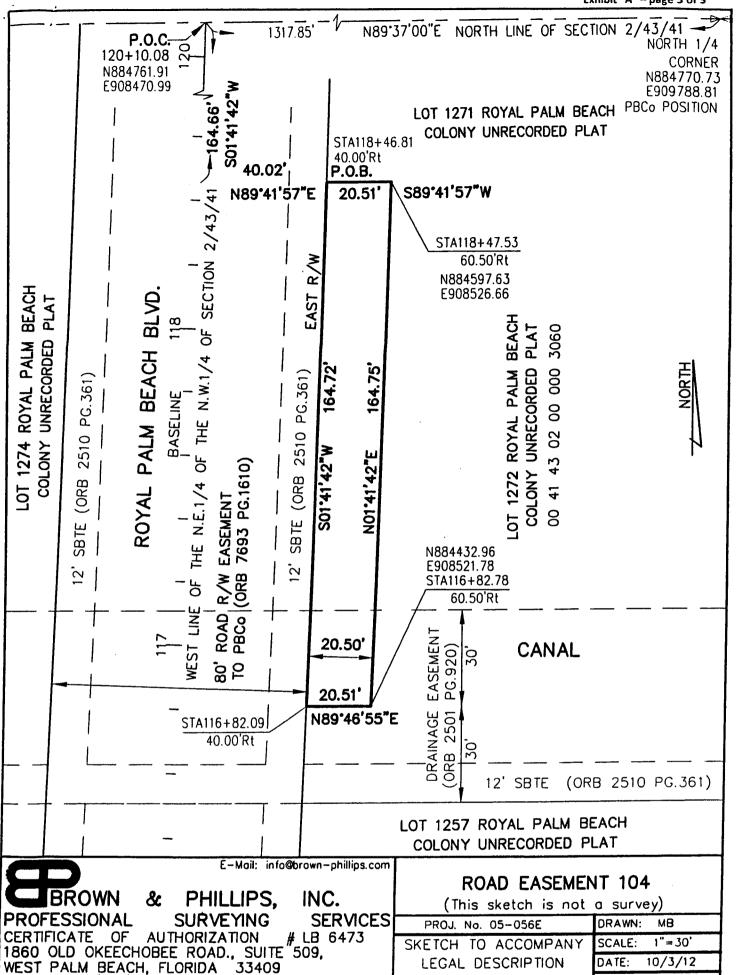
ROAD EASEMENT 104

PROJ. No. 05-056E	DRAWN: MB
DESCRIPTION NOTES	SCALE: 1"=30'
ROYAL PALM BEACH BLVD	DATE: 10/3/12
NO ME TALM BEACH BEVE	SHEET 2 OF 3

OF

SHEET

ROYAL PALM BEACH BLVD



615-3991 FAX

TELEPHONE (561)-615-3988,

EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA. **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** PERPETUAL **RIGHT-OF-WAY** 105. AS Α **EASEMENT** ACQUISITION. NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 105 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 105, for a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 105 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

ō	Comr	who i	moved its a	n was offered doption. The motic _, and upon being	on was	seconded by
		Commiss	sioner Steve	en L. Abrams, May	or/	
		Commiss	sioner Prisc	illa A. Taylor, Vice	Mayor	
		Commiss	sioner Hal F	R. Valeche		
Commissioner Paulette Burdick						
Commissioner Shelley Vana						
Commissioner Mary Lou Berger						
		Commiss	ioner Jess	R. Santamaria		
adopted this				lared the Resolution		
APPROVED AND LEGAL				PALM BEACH FLORIDA, B' COUNTY CO	Y ITS	BOARD OF
				Sharon R. Bock	, Clerk 8	& Comptroller
BY:	A 1.1	,		BY:		
County A	Attorr	ney		Deputy Cle	:rĸ	

ROAD EASEMENT 105

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE

NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01'41'42"W FOR 164.66 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE

NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'41'57"E FOR 40.02 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY NO1'41'42"E FOR 124.69 FEET TO THE SOUTH LINE OF A 40' ROAD EASEMENT FOR 60th STREET NORTH, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID SOUTH LINE, N89'37'00"E FOR 60.51 FEET;

THENCE S45'39'21"W FOR 57.58 FEET TO A LINE LYING 20.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID PARALLEL LINE, S01'41'42"W FOR 84.72 FEET TO THE SAID SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2; THENCE ALONG SAID SOUTH LINE, S89'41'57"W FOR 20.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,356 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> JOHN E. PHILLIPS, III PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

10-4-12 DATE:_

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC. SERVICES SURVEYING PROFESSIONAL # LB 6473 AUTHORIZATION CERTIFICATE OF 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 WEST PALM BEACH, FLORIDA 33409--TELEPHONE (561)-615-3988, 615-3991 FAX

ROAD EASEMENT 105 мВ DRAWN: PROJ. No. 05-056E

SCALE: LEGAL DESCRIPTION ROYAL PALM BEACH BLVD

DATE: 10/3/12 SHEET

1"=30'

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

- 4) ABBREVIATIONS: P.O.C.— POINT OF COMMENCEMENT STA STATION Rt RIGHT P.O.B. POINT OF BEGINNING P.B. PLAT BOOK R/W RIGHT—OF—WAY R RADIUS $\Delta \text{CENTRAL ANGLE A } \text{ARC LENGTH }$ ORB OFFICIAL RECORD BOOK PBCo PALM BEACH COUNTY S.B.T.E. SOUTHERN BELL TELEPHONE EASEMENT
- 5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER
PBCo POSITION
N884753.09
E907153.18

N89°37'00"E (G) 2635.69'
NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER
PBCo POSITION
N884770.73
E909788.81

E-Mail: info@brown-phillips.com **ROAD EASEMENT 105** INC. & PHILLIPS, BROWN **SERVICES** DRAWN: MB SURVEYING PROJ. No. 05-056E PROFESSIONAL 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3088 1"=30 SCALE: DESCRIPTION NOTES 10/3/12 DATE: ROYAL PALM BEACH BLVD 2 OF SHEET

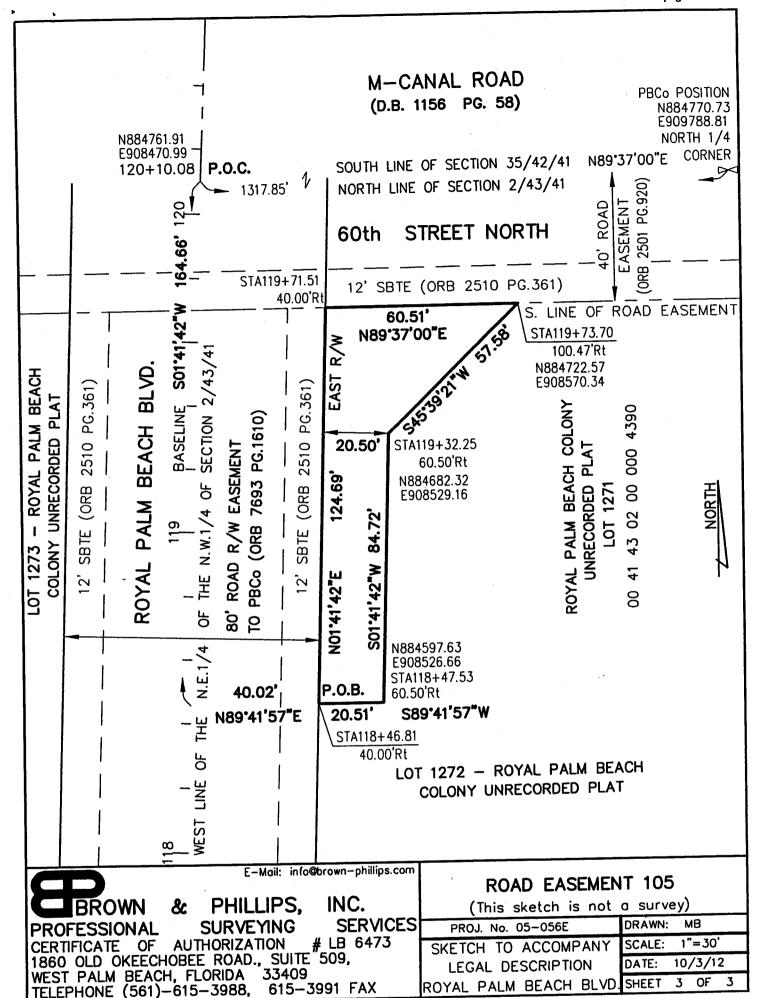


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS –</u> PARCELS 302, 303, 304, 305, 306, 307

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA. **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** PERPETUAL **RIGHT-OF-WAY** Α **EASEMENT** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 106 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 106, for a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 106 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	Comr	who r	noved its ad	option. 1	The motion	on was	commissioner seconded by o a vote, the
		Commiss	ioner Stever	n L. Abra	ams, May	yor	
		Commissioner Priscilla A. Taylor, Vice Mayor _					
		Commiss	Commissioner Hal R. Valeche				
Commissioner Paulette Burdick							
	Commissioner Shelley Vana						
Commissioner Mary Lou Berger							
		Commiss	ioner Jess R	. Santan	naria		
adopted this	The s	Mayor there	eupon decla	red the _ day of	Resolution	on duly	passed and , 2013.
APPROVEI AND LEGA				FLO	•	Y ITS	NTY, BOARD OF IONERS
				Sharo	n R. Bock	, Clerk &	& Comptroller
County	Attorr	iev		De	eputy Cle	rk	

ROAD EASEMENT 106

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35;

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 509.31 FEET TO THE SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID SOUTH LINE, N89'32'44"E FOR 40.06 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING:

THENCE ALONG SAID RIGHT-OF-WAY S02'42'29"W FOR 178.88 FEET TO THE NORTH LINE OF THE SOUTH 330.00 FEET OF THE SOUTHWEST QUARTER, OF SAID SECTION 35;

THENCE ALONG SAID NORTH LINE, N89'37'00"E FOR 10.43 FEET TO A LINE LYING 10.42 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY; THENCE ALONG SAID PARALLEL LINE, N02'42'29"E FOR 56.31 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 6,322.32 FEET; THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01°06'37" FOR 122.52 FEET TO THE SAID SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35;

THENCE ALONG SAID SOUTH LINE, S89'32'44"W FOR 9.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,815 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> JOHN E. PHILLIPS, III ₽ROFESSIONAL LAND SURVEYOR

STATE OF FLORIDA NO. 4826

DATE: 10-4-12

E-Mail: info@brown-phillips.com BROWN & PHILLIPS. INC. PROFESSIONAL SURVEYING **SERVICES** 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

ROAD EASEMENT 106

	<u> </u>
PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
LEGAL DESCRIPTION ROYAL PALM BEACH BLV	DATE: 10/3/12
ROTAL FALM BEACH BLVD	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

N89'37'00"E (G) 2635.69'

S.W. CORNER
PBCo POSITION
N884753.09
E907153.18

N89'37'00"E (G) 2635.69'

SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER
PBCo POSITION
N884770.73
E909788.81

E-Mail: info@brown-phillips.com **ROAD EASEMENT 106** PHILLIPS, BROWN & INC. PROFESSIONAL SURVEYING **SERVICES** PROJ. No. 05-056E DRAWN: CERTIFICATE OF AUTHORIZATION # LB 6473 1"=30' SCALE: 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX DESCRIPTION NOTES DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 2

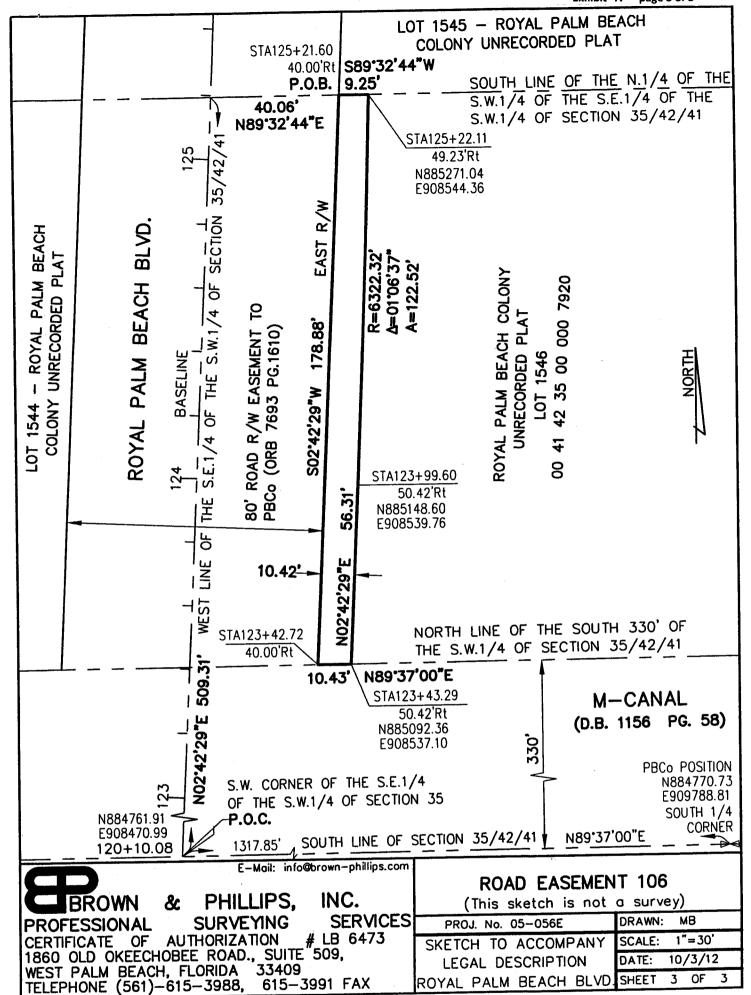


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS –</u> PARCELS 302, 303, 304, 305, 306, 307

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 107, AS A PERPETUAL RIGHT-OF-WAY EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 107 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 107, for a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 107 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

C	who move	olution was offered by C d its adoption. The motion was , and upon being put to	seconded by
	Commissione	r Steven L. Abrams, Mayor	
	Commissione	r Priscilla A. Taylor, Vice Mayor	
	Commissioner	r Hal R. Valeche	
	Commissione	r Paulette Burdick	
	Commissioner	Shelley Vana	
	Commissioner	Mary Lou Berger	
	Commissioner	· Jess R. Santamaria	
adopted this	The Mayor thereupo	n declared the Resolution duly	passed and , 2013.
	AS TO FORM SUFFICIENCY	PALM BEACH COUNT FLORIDA, BY ITS COUNTY COMMISS	BOARD OF
		Sharon R. Bock, Clerk	& Comptroller
BY: County A	Attorney	BY: Deputy Clerk	
AND LEGAL	SUFFICIENCY	FLORIDA, BY ITS COUNTY COMMISS Sharon R. Bock, Clerk	BOARD OF IONERS

ROAD EASEMENT 107

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35:

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 509.31 FEET TO THE SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID SOUTH LINE, N89'32'44"E FOR 40.06 FEET TO THE EAST RIGHT—OF—WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT-OF-WAY NO2'42'29"E FOR 139.74 FEET TO THE SOUTH LINE OF 61st STREET NORTH, A 60' ROAD EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID SOUTH LINE, N89'31'19"E FOR 25.00 FEET;

THENCE S39"13'17"W FOR 31.94 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,322.32 FEET, WHERE A RADIAL LINE BEARS N89"26'40"W; THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01"02'32" FOR 115.00 FEET TO THE SAID SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35;

THENCE ALONG SAID SOUTH LINE, S89'32'44"W FOR 9.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,275 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

STATE OF FLORIDA NO. 4826 DATE: 10-4-12-

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

ROAD EASEMENT 107

PROFESSIONAL LAND SURVEYOR

OHN E. PHILLIPS, III

PROJ. No. 05-056E DRAWN: MB

LEGAL DESCRIPTION
ROYAL PALM BEACH BLVD

DATE: 10/3/12
SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY R — RADIUS $\Delta - \text{CENTRAL ANGLE A } - \text{ARC LENGTH}$ ORB — OFFICIAL RECORD BOOK PBCo — PALM BEACH COUNTY S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

N89'37'00"E (G) 2635.69'

S.W. CORNER
PBCo POSITION
N884753.09
E907153.18

N89'37'00"E (G) 2635.69'

SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER
PBCo POSITION
N884770.73
E909788.81

E-Mail: info@brown-phillips.com **ROAD EASEMENT 107** BROWN PHILLIPS. INC. PROFESSIONAL SURVEYING SERVICES PROJ. No. 05-056E DRAWN: MB 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX 1"=30 SCALE: **DESCRIPTION NOTES** DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 2 OF

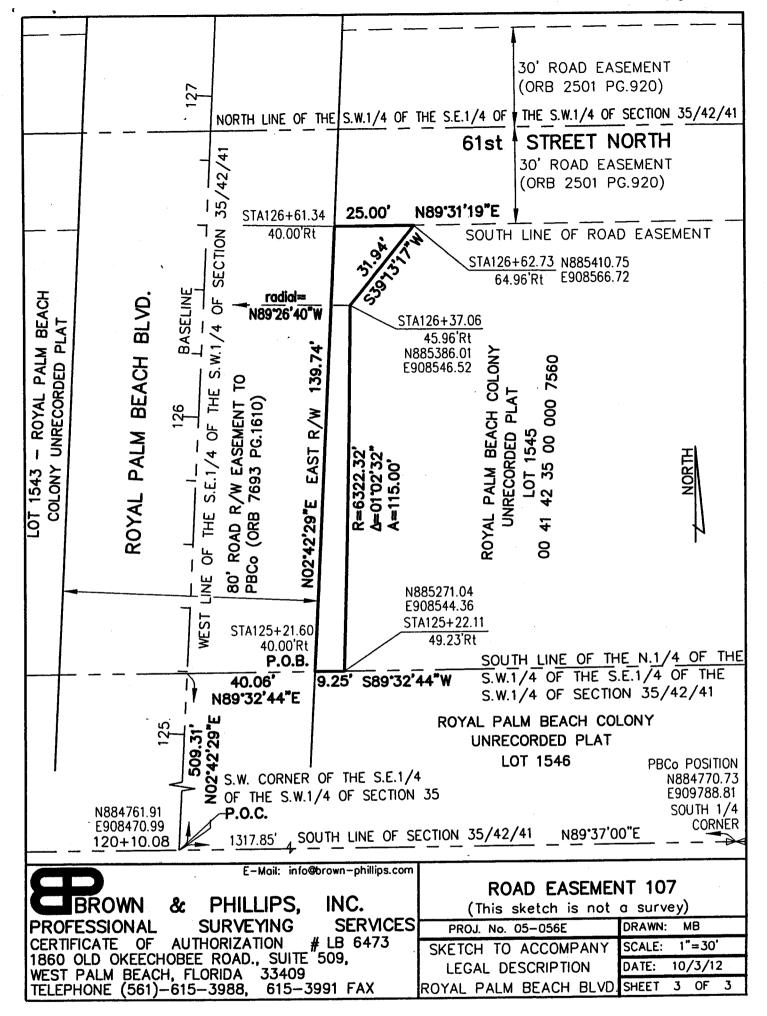


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** PERPETUAL **RIGHT-OF-WAY EASEMENT** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 108 as a perpetual right-of-way easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 108, for a perpetual right-of-way easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 108 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a perpetual right-of-way easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	Comr	who	moved its	s adopt	ion. The	e moti	on was	Commissioner s seconded by to a vote, the
		Commis	sioner Ste	even L.	Abram	ns, May	/or	
	Commissioner Priscilla A. Taylor, Vice Mayor							
	Commissioner Hal R. Valeche							
Commissioner Paulette Burdick								
	Commissioner Shelley Vana							
		Commis	sioner Ma	ıry Lou	Berger			
		Commiss	sioner Jes	ss R. S	antama	ria		
adopted this								y passed and , 2013.
APPROVED AND LEGAI						DA, B	Y ITS	JNTY, BOARD OF SIONERS
				5	Sharon F	R. Bock	, Clerk	& Comptroller
BY: County	Attor	ney		E	3Y: Dep	uty Cle	erk	

ROAD EASEMENT 108

A PARCEL OF LAND FOR ROAD EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35;

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 709.12 FEET TO THE NORTH LINE OF A 30' ROAD EASEMENT FOR 61st STREET NORTH, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID NORTH LINE, N89'31'19"E FOR 40.06 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE, N89'31'19"E FOR 25.00 FEET;

THENCE N42'51'17"E FOR 33.70 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,322.32 FEET, WHERE A RADIAL LINE BEARS S89'33'48"W; THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0'08'43" FOR 16.02 FEET TO THE SAID EAST RIGHT-OF-WAY OF ROYAL PALM BEACH **BOULEVARD**;

THENCE ALONG SAID RIGHT-OF-WAY, S02'42'29"W FOR 40.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 330 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

10-4-12 DATE:

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 WEST PALM BEACH, FLORIDA TELEPHONE (561)-615-3988, 615-3991 FAX

ROAD EASEMENT 108

PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION ROYAL PALM BEACH BLVD	SCALE: 1"=30'
POYAL BALM BEACH BLVD	DATE: 10/3/12
ROTAL FALM BEACH BLVD	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT C. ZONE FLORIDA EAST

 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

- 4) ABBREVIATIONS: P.O.C.- POINT OF COMMENCEMENT Rt - RIGHT STA - STATION P.O.B. - POINT OF BEGINNING R/W - RIGHT-OF-WAY P.B. - PLAT BOOK Δ - CENTRAL ANGLE A - ARC LENGTH R - RADIUS ORB - OFFICIAL RECORD BOOK PBCo - PALM BEACH COUNTY S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT
- 5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

N89'37'00"E (G) 2635.69' SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER S.W. CORNER PBCo POSITION BEARING BASIS DETAIL PBCo POSITION N884770.73 N884753.09 E909788.81 E907153.18

E-Mail: info@brown-phillips.com ROAD EASEMENT 108 BROWN PHILLIPS. INC. SURVEYING SERVICES PROFESSIONAL DRAWN: MB PROJ. No. 05-056E CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX 1"=30" SCALE: DESCRIPTION NOTES DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 2 OF

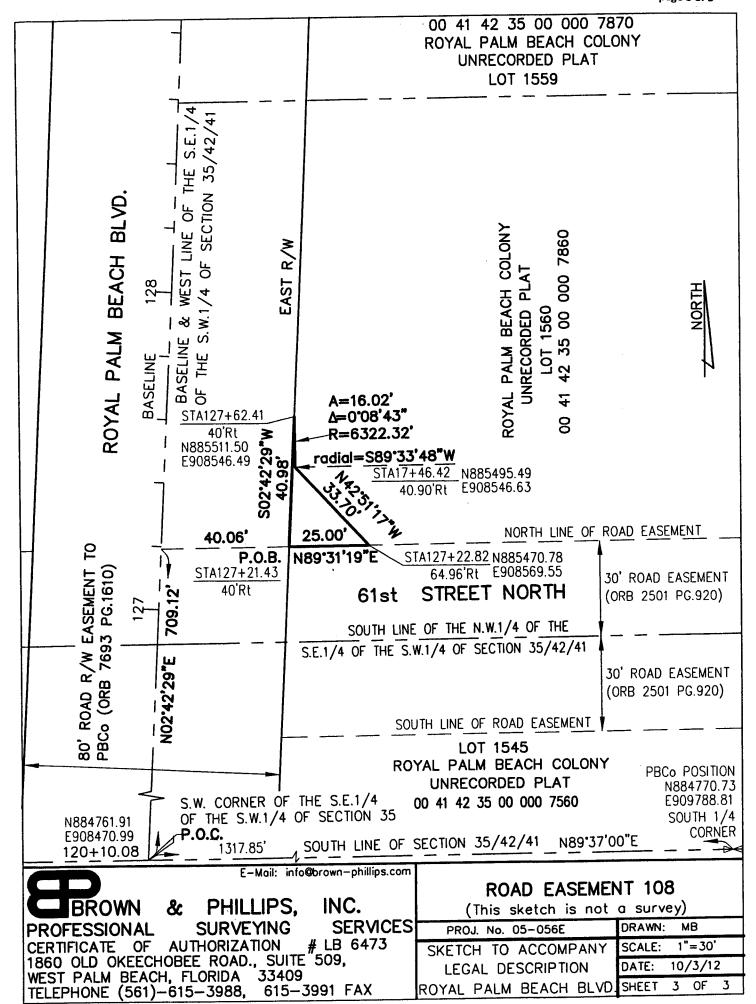


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 201, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH **BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD** PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 201 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 201, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 201 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

_			moved its	s adoption	n. The	motic	on wa	is se	conde	d by
(Comr ote v	nissioner _ was as follo	ws:	, and	l upon	being	g put	to a	vote,	the
		Commis	sioner St	even L.	Abram	s, May	or/	_		
		Commis	sioner Pr	iscilla A.	Taylor,	Vice	Mayo	or _		
		Commis	sioner Ha	al R. Vale	eche			-	***************************************	
		Commis	sioner Pa	ulette B	urdick			_		
		Commiss	sioner Sh	elley Va	na			_		
		Commiss	sioner Ma	ary Lou E	erger			_		
		Commiss	sioner Jes	ss R. Sa	ntamar	ia		_		
adopted this	The	Mayor the	reupon d	eclared da	the Re y of	solutio	on du	ıly pa	assed , 20	and)13.
APPROVED AND LEGAL				F	PALM E LORID COUNT)A, B	Y ITS	S BC	DARD	OF
				Sł	aron R	. Bock	, Cler	k & C	omptr	oller
BY: County	Attorr	ney		B,	r:	ıty Cle	erk			

PERMANENT EASEMENT 201

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01'41'42"W FOR 823.31 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'58'11"E FOR 40.02 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING;

THENCE ALONG SAID EAST RIGHT-OF-WAY, NO1'41'42"E FOR 71.64 FEET;

THENCE NO4'23'34"E FOR 38.17 FEET;

THENCE N43°45'38"E FOR 15.70 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,845.13 FEET, WHERE A RADIAL LINE BEARS N85°52'07"W; THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 0°25'09" FOR 50.09 FEET;

THENCE S01°41'42"W FOR 71.10 FEET TO THE SAID SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89°58'11"W FOR 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,185 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR

AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

DATE: 10-4-13

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

PERMANENT EASEMENT 201

EASEMENT 201					
PROJ. No. 05-056E	DRAWN: MB				
LEGAL DESCRIPTION	SCALE: 1"=30'				
	DATE: 10/3/12				
ROYAL PALM BEACH BLVD	SHEET 1 OF 3				

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C. POINT OF COMMENCEMENT P.O.B. - POINT OF BEGINNING

Rt - RIGHT STA - STATION P.B. – PLAT BOOK R/W – RIGHT-OF-WAY Δ – CENTRAL ANGLE A – ARC LENGTH

R - RADIUS PBCo - PALM BEACH COUNTY ORB - OFFICIAL RECORD BOOK

S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER N.W. CORNER PBCo POSITION PBCo POSITION BEARING BASIS DETAIL N884770.73 N884753.09 E909788.81 E907153.18

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC.	EASEMENT 201			
PROFESSIONAL SURVEYING SERVICES	PROJ. No. 05-056E	DRAWN: MB		
CERTIFICATE OF AUTHORIZATION # LB 6473	DESCRIPTION NOTES	SCALE: 1"=30'		
1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409		DATE: 10/3/12		
TELEPHONE (561)-615-3988, 615-3991 FAX	ROYAL PALM BEACH BLVD	SHEET 2 OF 3		

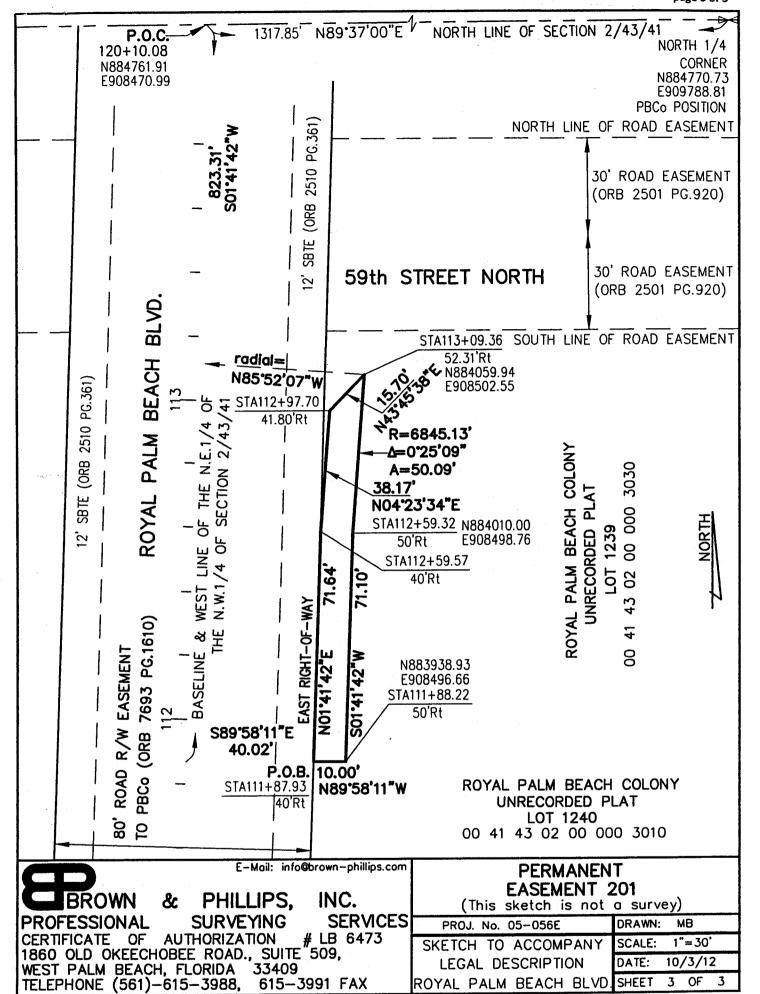


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA. **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** 202, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH **BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD** PROJECT TO BE FOR A PUBLIC USE AND PURPOSE. **AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS** AND THE FILING **DOMAIN** OF **EMINENT** PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 202 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 202, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 202 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	Comr	who	moved its a	was offered by doption. The motion wa , and upon being put	s seconded by		
		Commis	sioner Steve	en L. Abrams, Mayor			
		Commis	sioner Prisci	lla A. Taylor, Vice Mayo	r		
		Commissioner Hal R. Valeche					
		Commis					
	Commissioner Shelley Vana Commissioner Mary Lou Berger						
		Commiss	sioner Jess I	R. Santamaria			
adopted this				ared the Resolution du day of			
APPROVED AND LEGAL				PALM BEACH COU FLORIDA, BY ITS COUNTY COMMIS	BOARD OF		
				Sharon R. Bock, Clerk	c & Comptroller		
BY:	Λ. 			BY: Deputy Clerk	_		
County	Attori	iev		Deputy Clerk			

PERMANENT EASEMENT 202

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 493.99 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'51'53"E FOR 48.52 FEET TO THE POINT OF **BEGINNING:**

THENCE CONTINUE N89°51'53"E FOR 10.01 FEET TO A LINE LYING 18.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, S01'41'42"W FOR 125.58 FEET;

THENCE N34"14'25"W FOR 17.04 FEET TO A LINE LYING 8.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID PARALLEL LINE, NO1'41'42"E FOR 111.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,185 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

OHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

DATE: 10-4-12

E-Mail: info@brown-phillips.com BROWN & PHILLIPS. INC. SURVEYING SERVICES PROFESSIONAL #_LB 6473 OF **AUTHORIZATION** CERTIFICATE 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

PERMANENT EASEMENT 202

PROJ. No. 05-056E DRAWN: MB 1"=30' SCALE: LEGAL DESCRIPTION DATE: 10/3/12 ROYAL PALM BEACH BLVD

1 OF SHEET

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY R — RADIUS $\Delta - \text{CENTRAL ANGLE A } - \text{ARC LENGTH}$ ORB — OFFICIAL RECORD BOOK PBCo — PALM BEACH COUNTY S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER
PBCo POSITION
N884753.09
E907153.18

N89'37'00"E (G) 2635.69'
NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER
PBCo POSITION
N884770.73
E909788.81

E-Mail: info@brown-phillips.com PERMANENT EASEMENT 202 BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING **SERVICES** PROJ. No. 05-056E DRAWN: MB CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)—615—3988, 615—3991 FAX 1"=30 SCALE: DESCRIPTION NOTES DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 2 OF

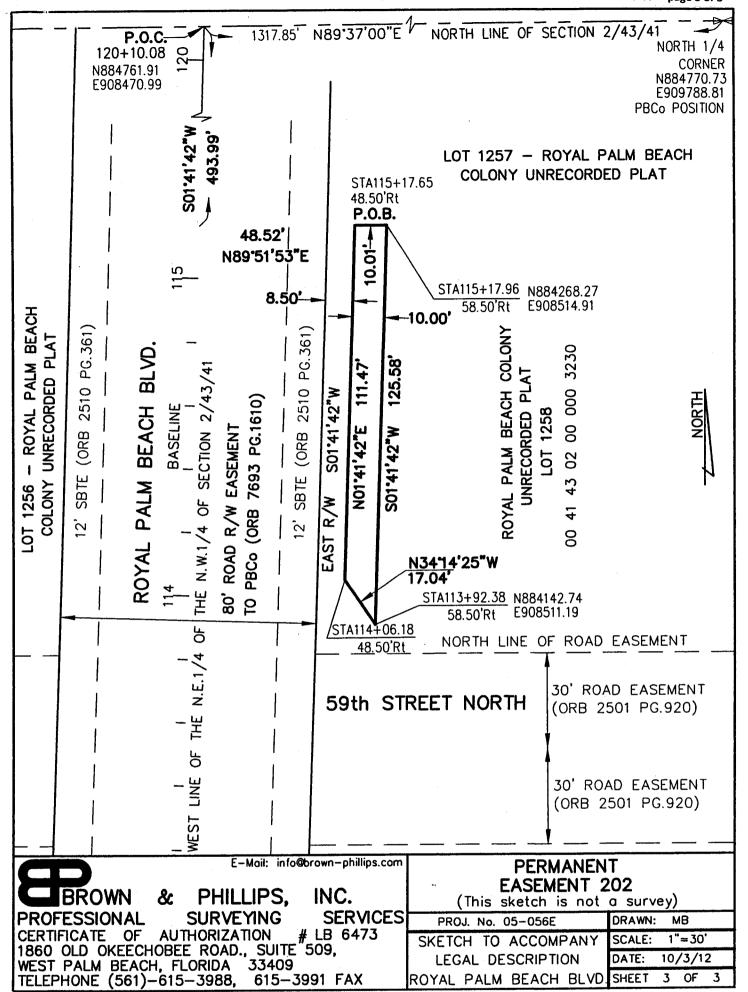


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59^{th} Street North to south of 62^{nd} Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60^{th} Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** 203, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 203 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 203, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 203 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	Comr	who	moved it	s adopti	on. The m	otion was	Commissioner s seconded by to a vote, the
		Commis	sioner St	even L.	Abrams, N	/layor	
	Commissioner Priscilla A. Taylor, Vice Mayor				r		
Commissioner Hal R. Valeche							
Commissioner Paulette Burdick							
Commissioner Shelley Vana							
		Commis	sioner Ma	ary Lou I	Berger		
		Commis	sioner Je	ss R. Sa	ntamaria		
adopted this							ly passed and , 2013.
APPROVED AS TO FORM AND LEGAL SUFFICIENCY			I	PALM BEAFLORIDA,	BY ITS	BOARD OF	
				S	haron R. Bo	ock, Clerk	« & Comptroller
BY: County	Attor	nev		В	Y: Deputy		
Journey	/\tt\/	: 1 ∪ y			Doputy	∵ : ∪ : i \	

PERMANENT EASEMENT 203

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 493.99 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE. N89°51'53"E FOR 48.52 FEET TO THE POINT OF **BEGINNING:**

THENCE CONTINUE N89'51'53"E FOR 10.01 FEET TO A LINE LYING 18.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, NO1'41'42"E FOR 134.73 FEET TO THE SOUTH LINE OF A 30' DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID SOUTH LINE, S89°46'55"W FOR 10.01 FEET TO A LINE LYING 8.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY; THENCE ALONG SAID PARALLEL LINE, S01'41'42"W FOR 134.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,347 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> Phillips Ž. JOHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826 DATE: 3-(4-13

DATE:_

E-Mail: info@brown-phillips.com BROWN & PHILLIPS. INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)—615—3988, 615—3991 FAX

PERMANENT EASEMENT 203

PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
ROYAL PALM BEACH BLVD	DATE: 3/14/13
	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY R — RADIUS $\Delta - \text{CENTRAL ANGLE A } - \text{ARC LENGTH}$ ORB — OFFICIAL RECORD BOOK PBCo — PALM BEACH COUNTY S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER PBCo POSITION N884753.09 E907153.18

N89'37'00"E (G) 2635.69'

NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

TELEPHONE (561)—615—3988, 615—3991 FAX

PERMANENT EASEMENT 203

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES
ROYAL PALM BEACH BLVD

The state of the state of

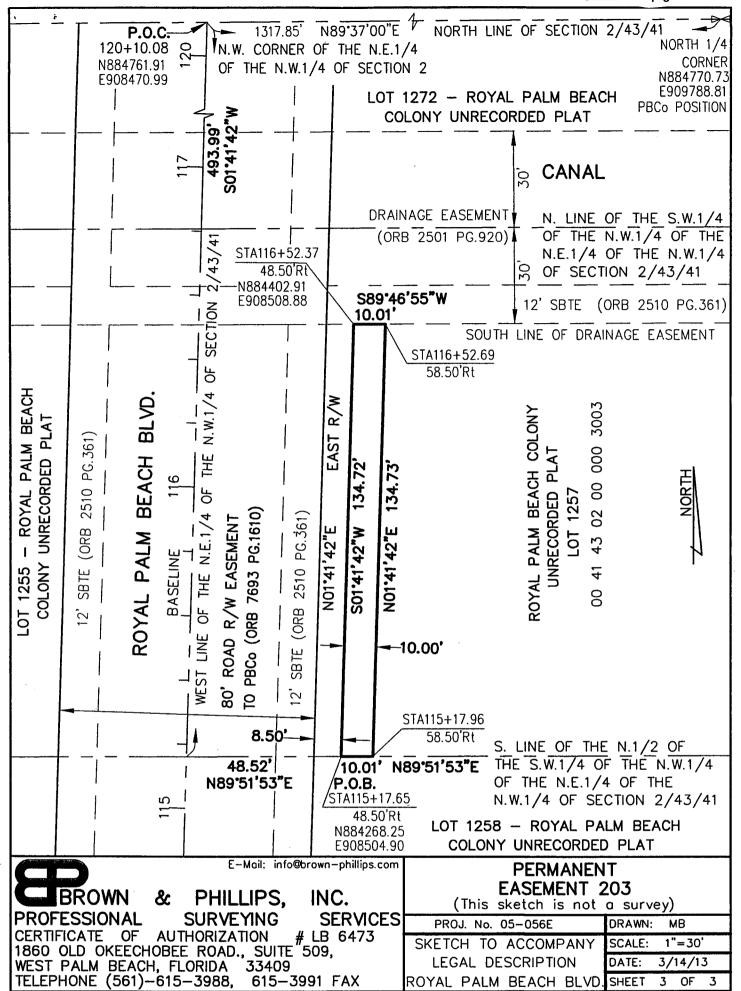


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS -</u> PARCELS 1, 2

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS --</u> <u>PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** 204, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH **BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD** PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER** THE FILING OF **EXPERTS** AND **EMINENT** DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 204 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 204, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 204 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

Co	who moved it	ition was offered by C ts adoption. The motion was , and upon being put to	seconded by	
	Commissioner S	teven L. Abrams, Mayor	<u></u>	
	Commissioner Priscilla A. Taylor, Vice Mayor			
	Commissioner Hal R. Valeche			
Commissioner Paulette Burdick				
Commissioner Shelley Vana				
Commissioner Mary Lou Berger				
Commissioner Jess R. Santamaria				
adopted this _	he Mayor thereupon o	declared the Resolution duly	passed and 2013.	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		FLORIDA, BY ITS	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS	
		Sharon R. Bock, Clerk	& Comptroller	
RY.		BY:		

County Attorney

Deputy Clerk

PERMANENT EASEMENT 204

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 164.66 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89°41'57"E FOR 60.53 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE N89°41'57"E FOR 10.01 FEET TO A LINE LYING 30.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, S01'41'42"W FOR 134.75 FEET TO THE NORTH LINE OF A 30' DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID NORTH LINE, S89'46'55"W FOR 10.01 FEET TO A LINE LYING 20.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY; THENCE ALONG SAID PARALLEL LINE, N01'41'42"E FOR 134.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,347 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

John E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA NO. 4826
DATE: (0.4-1)

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

TELEPHONE (561)—615—3988, 615—3991 FAX

EASEMENT 204			
PROJ. No. 05-056E	DRAWN: MB		
LEGAL DESCRIPTION	SCALE: 1"=30'		
ROYAL PALM BEACH BLVD	DATE: 10/3/12		
NOTAL TALM BEACH BLVD	SHEET 1 OF 3		

PERMANENT

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH. PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT C. ZONE FLORIDA EAST

 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C. POINT OF COMMENCEMENT STA - STATION Rt - RIGHT P.O.B. - POINT OF BEGINNING P.B. - PLAT BOOK R/W - RIGHT-OF-WAY R - RADIUS Δ - CENTRAL ANGLE A - ARC LENGTH ORB - OFFICIAL RECORD BOOK PBCo - PALM BEACH COUNTY S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER N.W. CORNER PBCo POSITION PBCo POSITION BEARING BASIS DETAIL N884770.73 N884753.09 E909788.81 E907153.18

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING **SERVICES** CERTIFICATE OF **AUTHORIZATION** # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

PERMANENT EASEMENT 204

PROJ. No. 05-056E DRAWN: мв SCALE: 1"=30" DESCRIPTION NOTES 10/3/12 DATE: ROYAL PALM BEACH BLVD SHEET 2

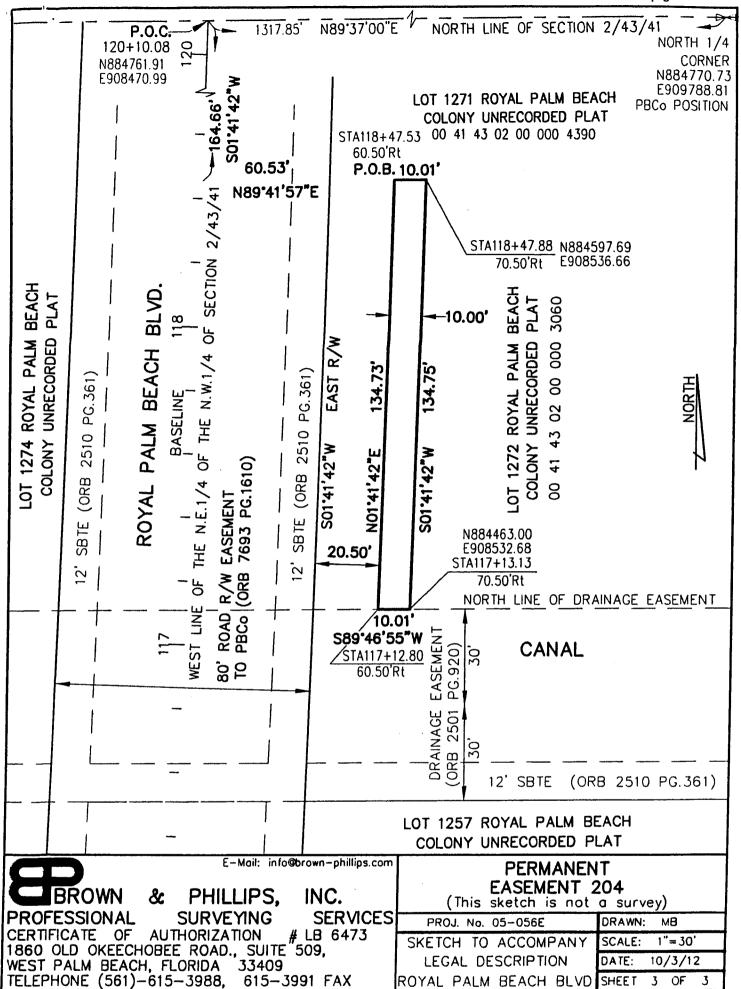


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COUNTY, FLORIDA. **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 205, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH **BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD** PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER** AND **EXPERTS** 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 205 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 205, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 205 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

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:

Commissioner Steven L. Abrams, Mayor _____ Commissioner Priscilla A. Taylor, Vice Mayor _____ Commissioner Hal R. Valeche

Commissioner Paulette Burdick _____ Commissioner Shelley Vana

Commissioner Mary Lou Berger _____ Commissioner Jess R. Santamaria _____ The Mayor thereupon declared the Resolution duly passed and

adopted this _____

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY

County Attorney

_____day of ______, 2013.

PALM BEACH COUNTY.

Deputy Clerk

FLORIDA, BY ITS BOARD OF

Sharon R. Bock, Clerk & Comptroller

COUNTY COMMISSIONERS

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a

PERMANENT EASEMENT 205

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 164.66 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE. N89'41'57"E FOR 60.53 FEET TO THE POINT OF **BEGINNING:**

THENCE CONTINUE N89°41'57"E FOR 10.01 FEET TO A LINE LYING 30.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, NO1'41'42"E FOR 94.74 FEET;

THENCE S45'39'21"W FOR 14.41 FEET TO A LINE LYING 20.50 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID PARALLEL LINE, S01'41'42"W FOR 84.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 897 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR

AND MAPPER NOTED HEREON.

DOHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826 10-4-12

E-Mail: info@brown-phillips.com BROWN PHILLIPS, INC. PROFESSIONAL SURVEYING **SERVICES** # LB 6473 **AUTHORIZATION** CERTIFICATE OF 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

PERMANENT EASEMENT 205

PROJ. No. 05-056E DRAWN: MB SCALE: 1" = 30'LEGAL DESCRIPTION 10/3/12 DATE: ROYAL PALM BEACH BLVD OF SHEET

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY R — RADIUS $\Delta - \text{CENTRAL ANGLE A } - \text{ARC LENGTH }$ ORB — OFFICIAL RECORD BOOK PBCo — PALM BEACH COUNTY S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER PBCo POSITION N884753.09 E907153.18

N89'37'00"E (G) 2635.69'

NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

PERMANENT EASEMENT 205

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES
ROYAL PALM BEACH BLVD

SHEET 2 OF 3

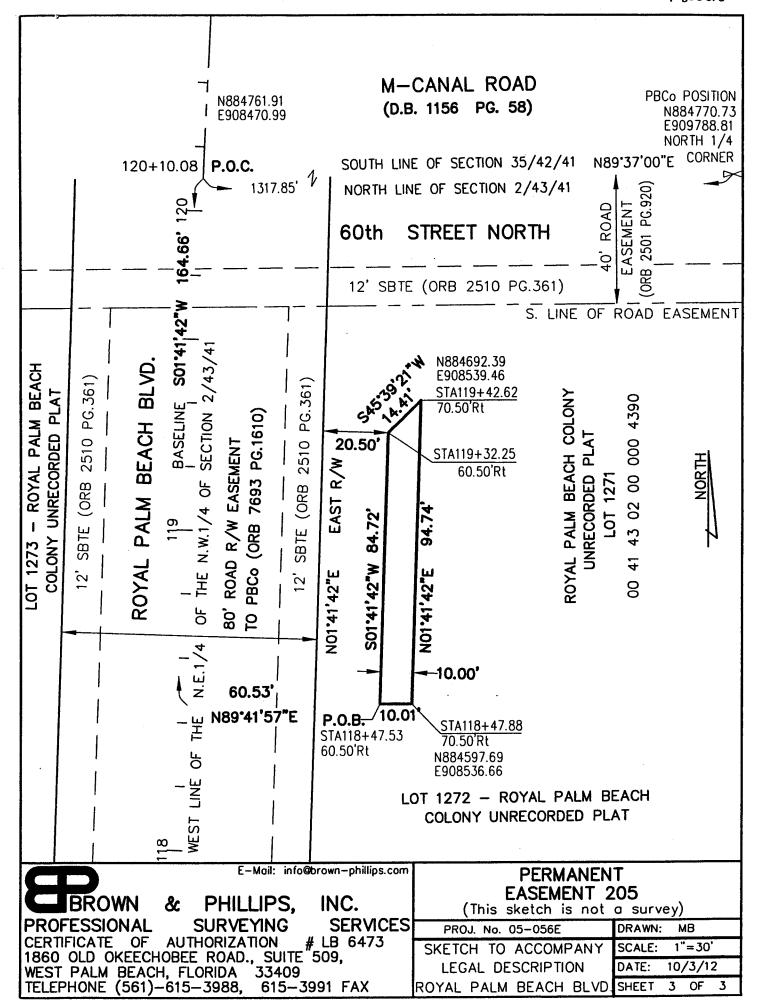


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA. **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** 206, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 206 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 206, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 206 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

Com	who move	olution was offered by C d its adoption. The motion was , and upon being put to	seconded by
	Commissione	r Steven L. Abrams, Mayor	
	Commissioner	Priscilla A. Taylor, Vice Mayor	
	Commissioner	r Hal R. Valeche	
Commissioner Paulette Burdick			
	Commissioner	Shelley Vana	
	Commissioner	Mary Lou Berger	
	Commissioner	Jess R. Santamaria	
		n declared the Resolution duly day of	
APPROVED AS AND LEGAL SUF		PALM BEACH COUNTS COUNTY COMMISS	BOARD OF
		Sharon R. Bock, Clerk	& Comptroller
BY: County Attor	2004	_ BY: Deputy Clerk	
County Attor	ney	Deputy Cierk	

PERMANENT EASEMENT 206

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE

SOUTHWEST QUARTER, OF SAID SECTION 35;

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 509.31 FEET TO THE SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID SOUTH LINE, N89'32'44"E FOR 49.31 FEET TO THE POINT OF **BEGINNING:**

THENCE CONTINUE N89'32'44"E FOR 10.01 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,332.32 FEET, WHERE A RADIAL

LINE BEARS N88'24'20"W;

THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01'06'49" FOR 123.07 FEET TO A POINT OF TANGENCY; THENCE S02'42'29"W FOR 55.77 FEET TO THE NORTH LINE OF THE SOUTH 330.00 FEET OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID NORTH LINE, S89'37'00"W FOR 10.00 FEET; THENCE NO2'42'29"E FOR 56.31 FEET TO THE POINT OF CURVATURE OF A CURVE CONCENTRIC WITH THE LAST-DESCRIBED CURVE, AND HAVING A RADIUS OF 6322.32 FEET; THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01'06'37" FOR 122.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,788 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> JOHN E. PHILLIPS, III PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826 10-4-12 DATE:_

> > DRAWN:

SCALE:

DATE:

SHEET 1 OF

MB

1"=30'

10/3/12

E-Mail: info@brown-phillips.com **PERMANENT** EASEMENT 206 INC. PHILLIPS, 86 BROWN SERVICES PROJ. No. 05-056E SURVEYING **PROFESSIONAL** #_LB 6473 CERTIFICATE OF AUTHORIZATION # LB 647 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX **AUTHORIZATION** LEGAL DESCRIPTION ROYAL PALM BEACH BLVD

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

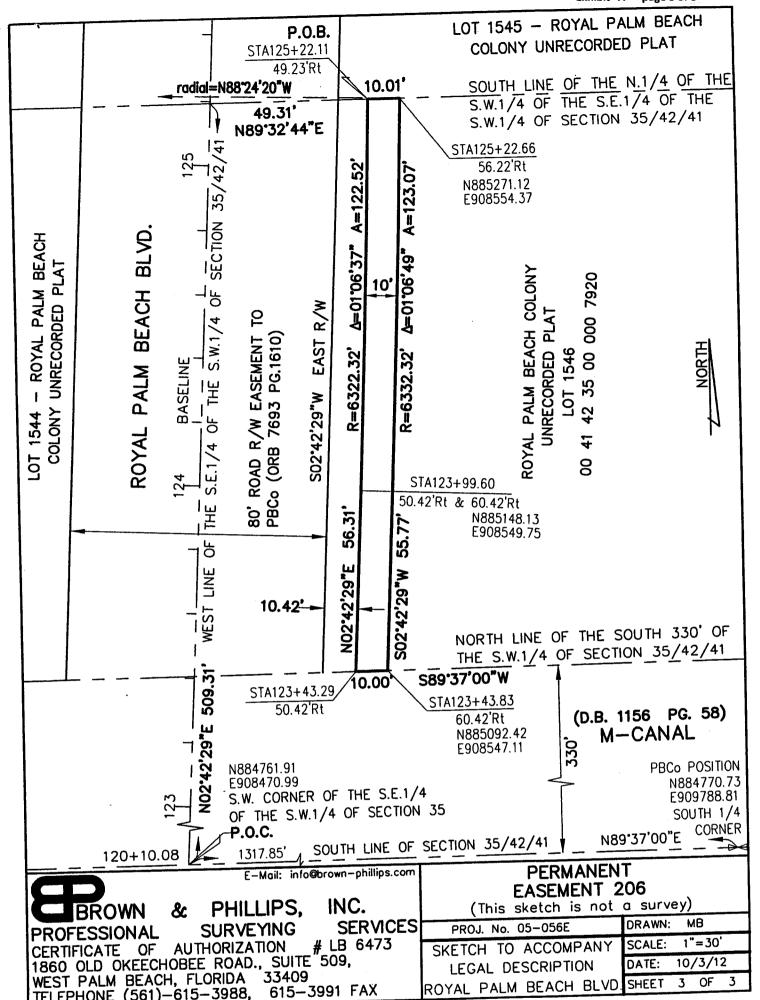
- 5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

S.W. CORNER PBCo POSITION N884775.3.09 E907153.18

N89'37'00"E (G) 2635.69'

SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC.	PERMANENT EASEMENT 206		
PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473	DESCRIPTION NOTES	DRAWN: MB SCALE: 1"=30' DATE: 10/3/12 SHEET 2 OF 3	



TELEPHONE (561)-615-3988,

EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, PALM FLORIDA, **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 207, AS A PERMANENT EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 207 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 207, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 207 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

was offered by Commissioner doption. The motion was seconded by , and upon being put to a vote, the	
n L. Abrams, Mayor	
lla A. Taylor, Vice Mayor	
. Valeche	
tte Burdick	
y Vana	
_ou Berger	
R. Santamaria	
ared the Resolution duly passed and, 2013.	
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS	
Sharon R. Bock, Clerk & Comptroller	
BY: Deputy Clerk	

PERMANENT EASEMENT 207

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35:

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2°42'29"E FOR 509.31 FEET TO THE SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID SOUTH LINE, N89'32'44"E FOR 49.31 FEET TO THE POINT OF **BEGINNING:**

THENCE CONTINUE N89'32'44"E FOR 10.01 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,332.32 FEET, WHERE A RADIAL LINE BEARS N88*24'20"W

THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01°09'07" FOR 127.30 FEET;

THENCE S39"3'17"W FOR 15.99 FEET TO A CURVE CONCENTRIC WITH THE LAST-DESCRIBED CURVE, AND HAVING A RADIUS OF 6322.32 FEET; THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 01°02'32" FOR 115.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,212 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> JOHN E. PHILLIPS, III PROFESSIONAL LAND SURVEYOR

STATE OF FLORIDA NO. 4826

10-4-12 DATE:_

E-Mail: info@brown-phillips.com BROWN & PHILLIPS. INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 WEST PALM BEACH, FLORIDA TELEPHONE (561)-615-3988, 615-3991 FAX

PERMANENT

EASEMENT 207			
PROJ. No. 05-056E	DRAWN: MB		
	SCALE: 1"=30'		
ROYAL PALM BEACH BLV	DATE: 10/3/12		
ROTAL PALM BEACH BLVD	SHEET 1 OF 3		

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT P.O.B. — POINT OF BEGINNING

STA - STATION Rt - RIGHT

OINT OF BEGINNING P.B. — PLAT BOOK

R/W - RIGHT-OF-WAY

R — RADIUS Δ — CENTRAL ANGLE A — ARC LENGTH ORB — OFFICIAL RECORD BOOK PBCo — PALM BEACH COUNTY

S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

N89°37'00"E (G) 2635.69'

S.W. CORNER
PBCo POSITION
N884753.09
E907153.18

N89°37'00"E (G) 2635.69'

SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER
PBCo POSITION
N884770.73
E909788.81

E-Mail: info@brown-phillips.com PERMANENT BROWN & PHILLIPS, EASEMENT 207 INC. PROFESSIONAL SURVEYING **SERVICES** PROJ. No. 05-056E DRAWN: MB CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)—615—3988, 615—3991 FAX SCALE: 1"=30" **DESCRIPTION NOTES** DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 2 OF

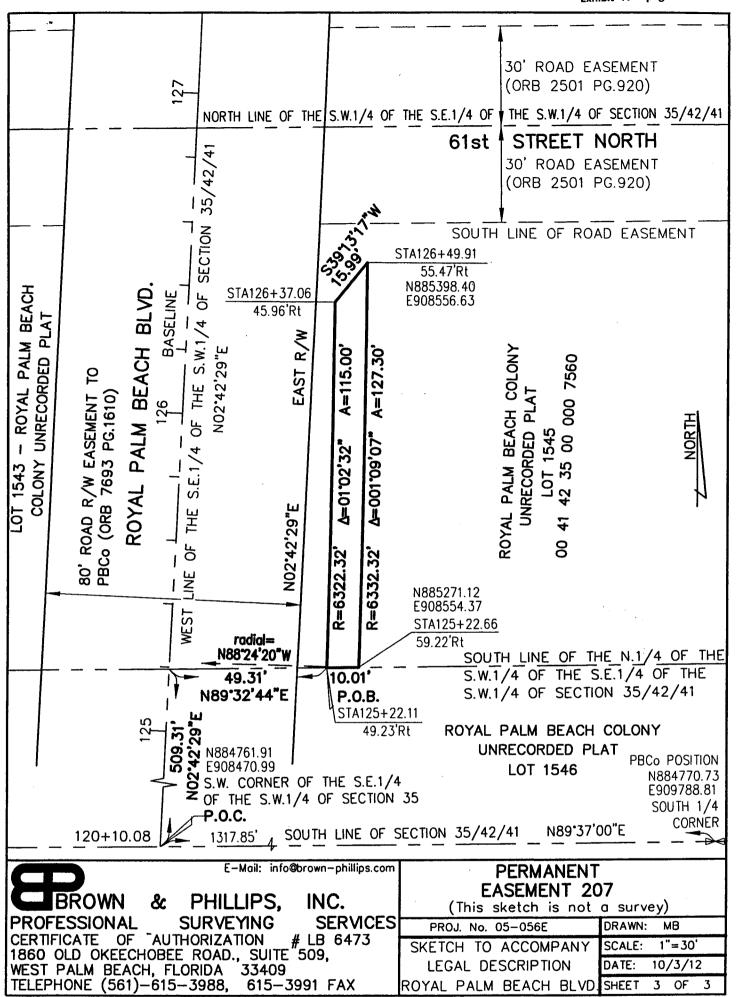


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA. **DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL** 208, AS A PERMANENT EASEMENT ACQUISITION. NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, **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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 208 as a permanent easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 208, for a permanent easement acquisition, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 208 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a permanent easement necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

·	Comn	who	moved its a	doption.	The moti	on was	commissioner seconded by a vote, the
Commissioner Steven L. Abrams, Mayor					<u></u>		
Commissioner Priscilla A. Taylor, Vice Mayor							
Commissioner Hal R. Valeche							
Commissioner Paulette Burdick							
Commissioner Shelley Vana							
Commissioner Mary Lou Berger							
		Commiss	sioner Jess	R. Santa	amaria		
adopted this							passed and, 2013.
APPROVED AND LEGAL				FL	LM BEAC ORIDA, B DUNTY CC	Y ITS	BOARD OF
				Shai	on R. Bock	k, Clerk	& Comptroller
BY:	Λ.Ψ			BY:_	Deputy Cle	ork	
County	Aπorr	ney			Deputy Of	JIK.	

PERMANENT EASEMENT 208

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35;

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 848.85 FEET TO THE NORTH LINE OF THE SOUTH ONE—HALF OF THE SOUTHWEST QUARTER OF THE SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35;

THENCE ALONG SAID NORTH LINE, N89°29'54"E FOR 40.06 FEET TO THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF SAID PUBLIC RECORDS, AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE, N89°29'54"E FOR 10.02 FEET TO A LINE LYING 10.00 FEET EAST OF, AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY; THENCE ALONG SAID PARALLEL LINE, S02'42'29"W FOR 99.04 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,332.32 FEET, WHERE A RADIAL LINE BEARS S89'25'15"W:

THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 014'29" FOR 26.69 FEET;

THENCE N42'51'17"W FOR 14.81 FEET TO A NON-TANGENT CURVE, CONCENTRIC WITH THE

PREVIOUS CURVE, AND HAVING A RADIUS OF 6,322.32 FEET;
THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0'08'43" FOR 16.02 FEET TO THE SAID EAST RIGHT-OF-WAY OF ROYAL PALM BEACH **BOULEVARD:**

THENCE ALONG SAID RIGHT-OF-WAY, NO2'42'29"E FOR 98.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,203 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, II

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

10-4-12 DATE:_

E-Mail: info@brown-phillips.com PHILLIPS. INC. BROWN **SERVICES** SURVEYING PROFESSIONAL CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

PERMANENT EASEMENT 208

PROJ. No. 05-056E DRAWN: MB 1"=30" SCALE: LEGAL DESCRIPTION DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 1 OF

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT C. ZONE FLORIDA EAST

 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

- 4) ABBREVIATIONS: STA - STATION Rt - RIGHT P.O.C.- POINT OF COMMENCEMENT R/W - RIGHT-OF-WAY P.B. - PLAT BOOK P.O.B. - POINT OF BEGINNING Δ - CENTRAL ANGLE A - ARC LENGTH R - RADIUS PBCo - PALM BEACH COUNTY ORB - OFFICIAL RECORD BOOK PBCo - PA S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT
- 5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

N89'37'00"E (G) 2635.69' SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER S.W. CORNER PBCo POSITION BEARING BASIS DETAIL PBCo POSITION N884770.73 N884753.09 E909788.81 E907153.18

E-Mail: info@brown-phillips.com PHILLIPS, INC. BROWN & **SURVEYING SERVICES** PROFESSIONAL CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

PERMANENT EASEMENT 208

DRAWN: MR PROJ. No. 05-056E SCALE: 1"=30 DESCRIPTION NOTES DATE: 10/3/12 ROYAL PALM BEACH BLVD 2 OF SHEET

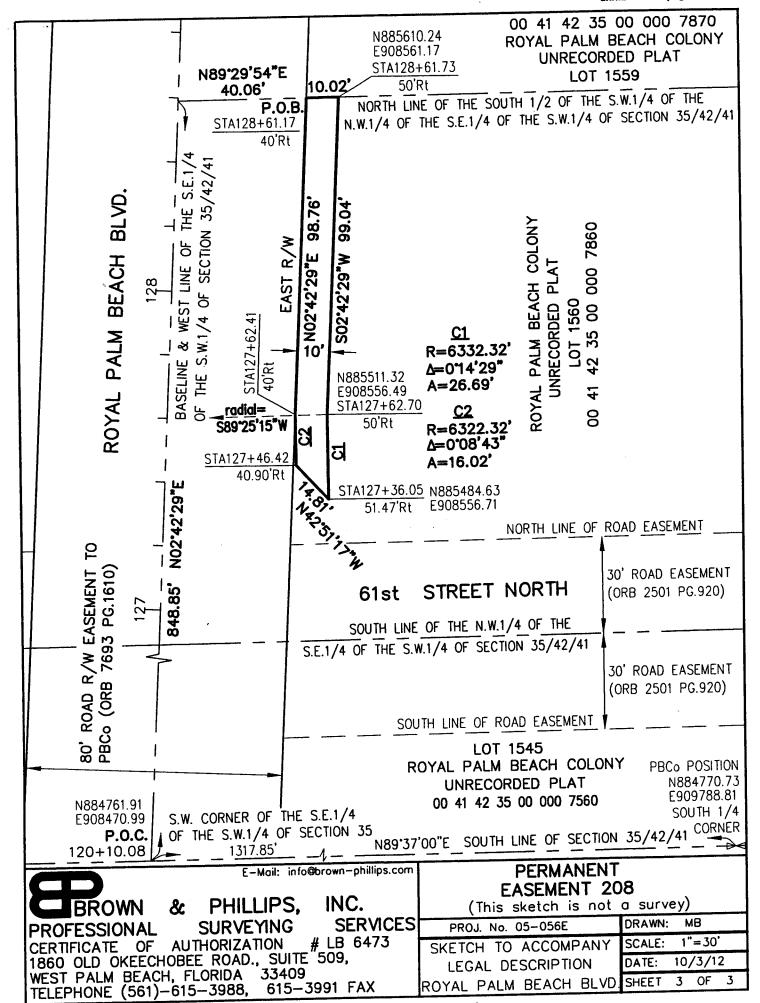


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 302, AS A TEMPORARY CONSTRUCTION EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 302 as a temporary construction easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, as 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 302 for the temporary construction easement acquisition, described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the temporary construction easement designated as Parcel 302 is necessary for the purpose of tying in and harmonizing the adjacent property to include driveways, walkways, etc. with the construction and improvements to be undertaken by Palm Beach County for the before mentioned project; and,

WHEREAS, this temporary construction easement is granted upon the condition that any necessary grading and/or sloping shall not extend beyond the limits as outlined in Exhibit "A" and that the temporary construction easement shall expire three years from the date of acquisition or upon acceptance by the Board of County Commissioners of the completed construction, whichever is earlier; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 302 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a temporary construction easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

offered

Deputy Clerk

by Commissioner

foregoing Resolution was

The

County Attorney

	who moved its add commissioner, ote was as follows:	ption. The motion was and upon being put to	seconded by a vote, the
	Commissioner Steven	L. Abrams, Mayor	
	Commissioner Priscilla A. Taylor, Vice Mayor		
	Commissioner Hal R. Valeche		
,	Commissioner Paulette Burdick		
	Commissioner Shelley Vana		
	Commissioner Mary Lou Berger		
	Commissioner Jess R.	Santamaria	
adopted this	The Mayor thereupon declar	ed the Resolution duly day of	passed and , 2013.
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS	
		Sharon R. Bock, Clerk	& Comptroller
RY·		BY:	

TEMPORARY CONSTRUCTION EASEMENT 302

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 493.99 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'51'53"E FOR 58.53 FEET TO A LINE LYING 18.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, SO1°41'42"W FOR 6.13 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S01'41'42"W FOR 45.75 FEET;

THENCE N6510'08"E FOR 11.18 FEET;

THENCE NO1'41'42"E FOR 34.25 FEET;

THENCE N55"15"31"W FOR 11.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 400 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA NO. 4826
DATE: (2/10//)

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

TELEPHONE (561)—615—3988, 615—3991 FAX

TEMPORARY CONSTRUCTION FASEMENT 302

PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
LEGAL DESCRIPTION ROYAL PALM BEACH BLVD	DATE: 11/20/12
NOTAL TALM BLACH BLVD.	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY R — RADIUS $\Delta - \text{CENTRAL ANGLE A } - \text{ARC LENGTH ORB } - \text{OFFICIAL RECORD BOOK}$ PBCo — PALM BEACH COUNTY S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER PBCo POSITION N884753.09 E907153.18

N89'37'00"E (G) 2635.69'

NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

E-Moil: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

TELEPHONE (561)—615—3988, 615—3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 302 PROJ. No. 05-056E DRAWN: MB

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES

ROYAL PALM BEACH BLVD

SHEET 2 OF 3

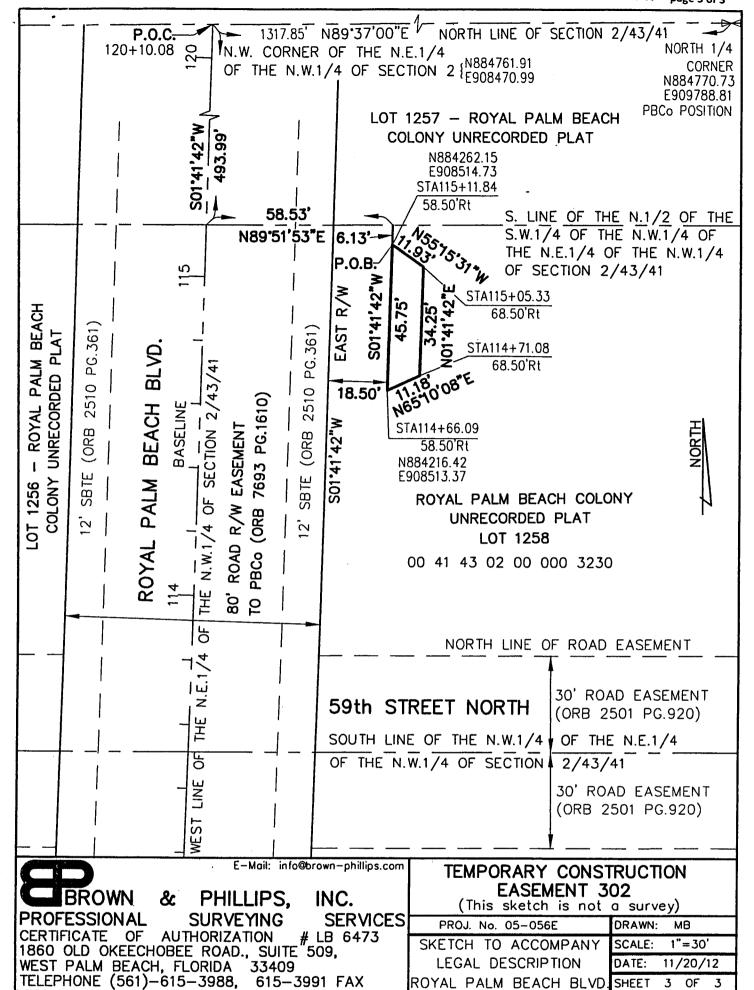


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL AS A **TEMPORARY** CONSTRUCTION **EASEMENT** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 303 as a temporary construction easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, as 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 303 for the temporary construction easement acquisition, described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the temporary construction easement designated as Parcel 303 is necessary for the purpose of tying in and harmonizing the adjacent property to include driveways, walkways, etc. with the construction and improvements to be undertaken by Palm Beach County for the before mentioned project; and,

WHEREAS, this temporary construction easement is granted upon the condition that any necessary grading and/or sloping shall not extend beyond the limits as outlined in Exhibit "A" and that the temporary construction easement shall expire three years from the date of acquisition or upon acceptance by the Board of County Commissioners of the completed construction, whichever is earlier; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 303 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a temporary construction easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

formation Boselution was offered by Commissioner

Ō	who moved	its adoption. The motion was, and upon being put to	seconded by	
	Commissioner S	Steven L. Abrams, Mayor		
·	Commissioner F	Priscilla A. Taylor, Vice Mayor		
Commissioner Hal R. Valeche				
Commissioner Paulette Burdick				
Commissioner Shelley Vana				
	Commissioner M	lary Lou Berger	•	
	Commissioner J	ess R. Santamaria		
adopted this	The Mayor thereupon	declared the Resolution duly day of	passed and 2013.	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		FLORIDA, BY ITS	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS	
		Sharon R. Bock, Clerk	& Comptroller	
BY:		BY:		
County A	Attorney	Deputy Clerk		

TEMPORARY CONSTRUCTION EASEMENT 303

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 493.99 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE SOUTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89'51'53"E FOR 58.53 FEET TO A LINE LYING 18.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
THENCE ALONG SAID PARALLEL LINE, N01'41'42"E FOR 52.46 FEET TO THE POINT OF

BEGINNING:

THENCE CONTINUE NO1°41'42"E FOR 45.29 FEET;

THENCE S88"18"18"E FOR 10.00 FEET;

THENCE S01'41'42"W FOR 34.71 FEET;

THENCE S45°05'17"W FOR 14.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 400 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR

AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

3-14-13 DATE:__

E-Mail: info@brown-phillips.com BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING **SERVICES** CERTIFICATE OF # LB 6473 AUTHORIZATION 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 303

	_
PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
ROYAL PALM BEACH BLVD	DATE: 3/14/13
	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C.— POINT OF COMMENCEMENT STA — STATION Rt — RIGHT P.O.B. — POINT OF BEGINNING P.B. — PLAT BOOK R/W — RIGHT—OF—WAY R — RADIUS $\Delta - \text{CENTRAL ANGLE A } - \text{ARC LENGTH ORB } - \text{OFFICIAL RECORD BOOK}$ PBCo — PALM BEACH COUNTY S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

N.W. CORNER
PBCo POSITION
N884753.09
E907153.18

N89'37'00"E (G) 2635.69'
NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER
PBCo POSITION
N884770.73
E909788.81

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 303

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES
ROYAL PALM BEACH BLVD

DATE: 3/14/13
SHEET 2 OF 3

3

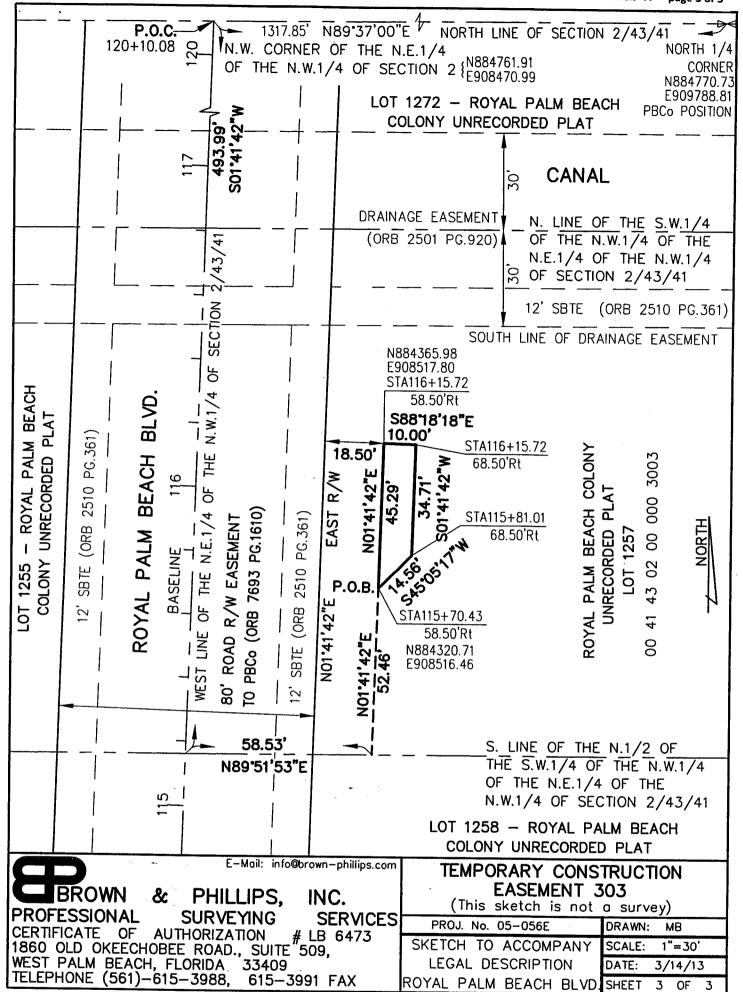


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BEACH COUNTY, FLORIDA, **DECLARING** ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL AS Α **TEMPORARY CONSTRUCTION** ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 304 as a temporary construction easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, as 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 304 for the temporary construction easement acquisition, described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the temporary construction easement designated as Parcel 304 is necessary for the purpose of tying in and harmonizing the adjacent property to include driveways, walkways, etc. with the construction and improvements to be undertaken by Palm Beach County for the before mentioned project; and,

WHEREAS, this temporary construction easement is granted upon the condition that any necessary grading and/or sloping shall not extend beyond the limits as outlined in Exhibit "A" and that the temporary construction easement shall expire three years from the date of acquisition or upon acceptance by the Board of County Commissioners of the completed construction, whichever is earlier; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 304 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a temporary construction easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

offered

Deputy Clerk

by

Commissioner

Resolution was

The

County Attorney

foregoing

	loption. The motion was seconded by and upon being put to a vote, the		
Commissioner Stever	n L. Abrams, Mayor		
Commissioner Priscill	Commissioner Priscilla A. Taylor, Vice Mayor		
Commissioner Hal R.	Commissioner Hal R. Valeche		
Commissioner Paulette Burdick			
Commissioner Shelley Vana			
Commissioner Mary Lou Berger			
Commissioner Jess R	. Santamaria		
The Mayor thereupon decla adopted this	red the Resolution duly passed and, 2013.		
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS		
	Sharon R. Bock, Clerk & Comptroller		
BY:	BY:		

TEMPORARY CONSTRUCTION EASEMENT 304

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, SO1'41'42"W FOR 164.66 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89°41'57"E FOR 70.54 FEET TO A LINE LYING 30.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, SO1'41'42"W FOR 6.88 FEET TO POINT OF BEGINNING 1; THENCE CONTINUE SO1'41'42"W FOR 40.00 FEET TO POINT "A":

THENCE N68'22'40"E FOR 32.67 FEET;

THENCE N01'41'42"E FOR 19.38 FEET;

THENCE N73'55'30"W FOR 30.97 FEET TO POINT OF BEGINNING 1;

CONTAINING 891 SQUARE FEET, MORE OR LESS.

AND

COMMENCE AT SAID POINT "A";

THENCE S01'41'42"W FOR 49.00 FEET TO POINT OF BEGINNING 2;

THENCE CONTINUE S01'41'42"W FOR 38.87 FEET TO THE NORTH LINE OF A 30' DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 2501, PAGE 920, OF SAID PUBLIC

THENCE ALONG SAID NORTH LINE, N89'46'55"E FOR 30.02 FEET;

THENCE NO1'41'42"E FOR 23.07 FEET;

THENCE N62'02'36"W FOR 33.45 FEET TO POINT OF BEGINNING 2.

CONTAINING 929 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA NO. 4826
DATE: (0-4-12

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 304

PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
LEGAL DESCRIPTION ROYAL PALM BEACH BLVD	DATE: 10/3/12
	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C. - POINT OF COMMENCEMENT STA - STATION Rt - RIGHT P.O.B. - POINT OF BEGINNING P.B. - PLAT BOOK R/W - RIGHT-OF-WAY R - RADIUS Δ - CENTRAL ANGLE A - ARC LENGTH ORB - OFFICIAL RECORD BOOK PBCo - PALM BEACH COUNTY S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER N.W. CORNER PBCo POSITION PBCo POSITION BEARING BASIS DETAIL N884770.73 N884753.09 E907153.18 E909788.81

E-Mail: info@brown-phillips.com BROWN PHILLIPS, & INC. PROFESSIONAL SURVEYING **SERVICES** CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 304

PROJ. No. 05-056E DRAWN: MB SCALE: 1"=30 DESCRIPTION NOTES DATE: 10/3/12 ROYAL PALM BEACH BLVD SHEET 2 OF 3

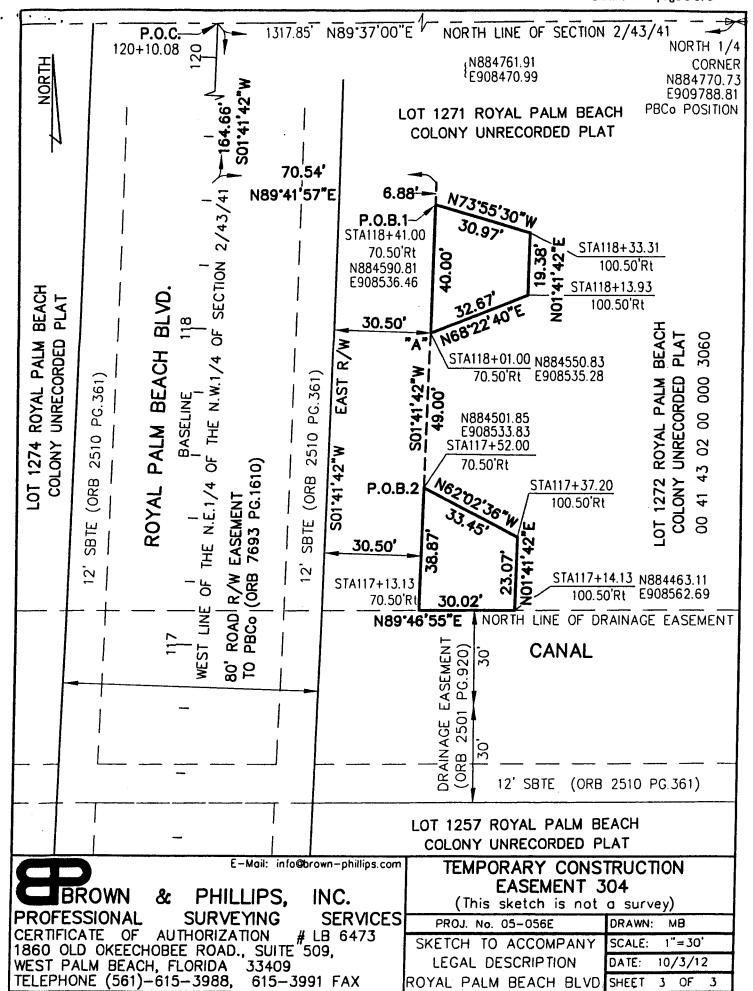


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 305, AS A TEMPORARY CONSTRUCTION EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 305 as a temporary construction easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, as 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 305 for the temporary construction easement acquisition, described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the temporary construction easement designated as Parcel 305 is necessary for the purpose of tying in and harmonizing the adjacent property to include driveways, walkways, etc. with the construction and improvements to be undertaken by Palm Beach County for the before mentioned project; and,

WHEREAS, this temporary construction easement is granted upon the condition that any necessary grading and/or sloping shall not extend beyond the limits as outlined in Exhibit "A" and that the temporary construction easement shall expire three years from the date of acquisition or upon acceptance by the Board of County Commissioners of the completed construction, whichever is earlier; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 305 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a temporary construction easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

who moved its add	was offered by Commissioner option. The motion was seconded by and upon being put to a vote, the			
Commissioner Steven L. Abrams, Mayor				
Commissioner Priscilla A. Taylor, Vice Mayor				
Commissioner Hal R. Valeche				
Commissioner Paulette Burdick				
Commissioner Shelley Vana				
Commissioner Mary Lou Berger				
Commissioner Jess R.	Santamaria			
The Mayor thereupon declared the Resolution duly passed and adopted this, 2013.				
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS			
	Sharon R. Bock, Clerk & Comptroller			
QV·	RV·			

Deputy Clerk

County Attorney

TEMPORARY CONSTRUCTION EASEMENT 305

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE ALONG THE WEST LINE OF THE SAID NORTHEAST QUARTER, S01°41'42"W FOR 164.66 FEET TO THE SOUTH LINE OF THE NORTH HALF, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF THE NORTHWEST QUARTER, OF SECTION 2;

THENCE ALONG SAID SOUTH LINE, N89°41'57"E FOR 70.54 FEET TO A LINE LYING 30.50 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, NO1°41'42"E FOR 22.12 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NO1'41'42"E FOR 72.62 FEET;

THENCE N45'39'21"E FOR 23.57 FEET;

THENCE S8818'18"E FOR 13.64 FEET;

THENCE S01'41'42"W FOR 58.24 FEET;

THENCE S45'26'28"W FOR 43.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,079 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.

THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.

REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR

AND MAPPER NOTED HEREON.

JOHN E. PHILLIPS, III

PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826

DATE: 10-4-12

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX TEMPORARY CONSTRUCTION EASEMENT 305

PROJ. No. 05-056E DRAWN: MB

LEGAL DESCRIPTION
ROYAL PALM BEACH BLVD
SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT C. ZONE FLORIDA EAST

 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

P.O.C. POINT OF COMMENCEMENT STA - STATION Rt - RIGHT P.O.B. -P.B. - PLAT BOOK - POINT OF BEGINNING R/W - RIGHT-OF-WAY Δ - CENTRAL ANGLE A - ARC LENGTH R - RADIUS ORB — OFFICIAL RECORD BOOK PBCo — PA S.B.T.E. — SOUTHERN BELL TELEPHONE EASEMENT PBCo - PALM BEACH COUNTY

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE NORTH QUARTER CORNER AND THE N.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' NORTH LINE OF SECTION 2/43/41 NORTH 1/4 CORNER N.W. CORNER PBCo POSITION PBCo POSITION BEARING BASIS DETAIL N884770.73 N884753.09 E909788.81 E907153.18

E-Mail: info@brown-phillips.com BROWN & PHILLIPS. INC. PROFESSIONAL SURVEYING **SERVICES** CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

TEMPORARY CONSTRUCTION **FASEMENT 305**

PROJ. No. 05-056E	DRAWN: MB		
DESCRIPTION NOTES	SCALE: 1"=30'		
ROYAL PALM BEACH BLVD	DATE: 10/3/12		
TOTAL FALM BEACH BLVD.	SHEET 2 OF 3		

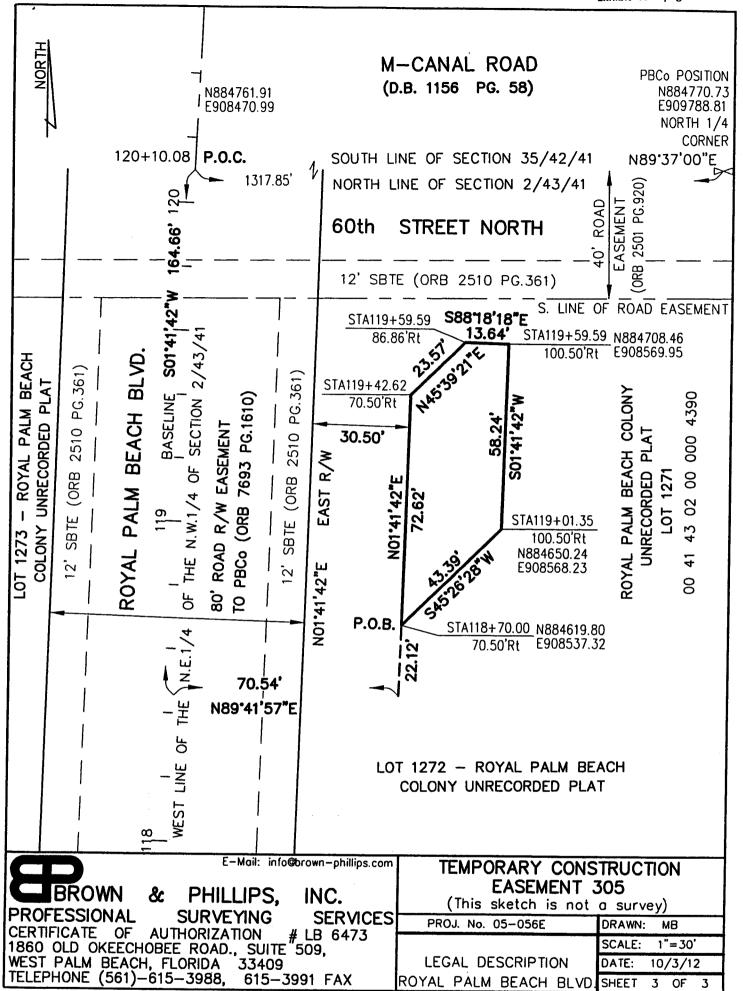


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 306, AS A TEMPORARY CONSTRUCTION EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 306 as a temporary construction easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, as 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 306 for the temporary construction easement acquisition, described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the temporary construction easement designated as Parcel 306 is necessary for the purpose of tying in and harmonizing the adjacent property to include driveways, walkways, etc. with the construction and improvements to be undertaken by Palm Beach County for the before mentioned project; and,

WHEREAS, this temporary construction easement is granted upon the condition that any necessary grading and/or sloping shall not extend beyond the limits as outlined in Exhibit "A" and that the temporary construction easement shall expire three years from the date of acquisition or upon acceptance by the Board of County Commissioners of the completed construction, whichever is earlier; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 306 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:

- This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a temporary construction easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

Com	who moved	lution was offered by C its adoption. The motion was , and upon being put to	seconded by			
	Commissioner	Steven L. Abrams, Mayor				
Commissioner Mary Lou Berger						
Commissioner Jess R. Santamaria						
The adopted this	e Mayor thereupon	declared the Resolution duly day of	passed and , 2013.			
APPROVED AS AND LEGAL SU		FLORIDA, BY ITS	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS			
		Sharon R. Bock, Clerk	Sharon R. Bock, Clerk & Comptroller			
BY:	rney	BY:				
County Atto	rney	Deputy Clerk				

TEMPORARY CONSTRUCTION EASEMENT 306

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35;

THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 509.31 FEET TO THE SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID SOUTH LINE, N89'32'44"E FOR 59.32 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,332.32 FEET, WHERE A RADIAL

LINE BEARS N88'24'20"W': THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL

ANGLE OF 077'39" FOR 32.51 FEET TO TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A

CENTRAL ANGLE OF 0'29'35" FOR 54.49 FEET;

THENCE N61"14'06"E FOR 11.68 FEET TO A CURVE CONCENTRIC WITH THE LAST-DESCRIBED

CURVE, AND HAVING A RADIUS OF 6342.32 FEET; THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0°22'55" FOR 42.27 FEET;

THENCE N56°01'38"W FOR 11.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 484 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> JOHN E. PHILLIPS, PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA NO. 4826 DATE:_

E-Mail: info@brown-phillips.com INC. PHILLIPS, BROWN & **SERVICES** SURVEYING PROFESSIONAL # LB 6473 CERTIFICATE OF AUTHORIZATION 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 306

DRAWN: MB PROJ. No. 05-056E 1"=30 SCALE: LEGAL DESCRIPTION DATE: 11/20/12 ROYAL PALM BEACH BLVD SHEET 1 OF

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT C. ZONE FLORIDA EAST

 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS: P.O.C. POINT OF COMMENCEMENT P.O.B. - POINT OF BEGINNING R - RADIUS

Rt - RIGHT STA - STATION P.B. — PLAT BOOK R/W — RIGHT—OF—WAY Δ — CENTRAL ANGLE A — ARC LENGTH PBCo - PALM BEACH COUNTY

ORB - OFFICIAL RECORD BOOK

S.B.T.E. - SOUTHERN BELL TELEPHONE EASEMENT

5) BEARING BASIS: N89'37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

> N89'37'00"E (G) 2635.69' SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER S.W. CORNER PBCo POSITION BEARING BASIS DETAIL PBCo POSITION N884770.73 N884753.09 E909788.81 E907153.18

E-Mail: info@brown-phillips.com INC. BROWN & PHILLIPS. **SERVICES** SURVEYING PROFESSIONAL CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 306

PROJ. No. 05-056E	DRAWN: MB
	SCALE: 1"=30'
	DATE: 11/20/12
ROYAL PALM BEACH BLVD	SHEET 2 OF 3

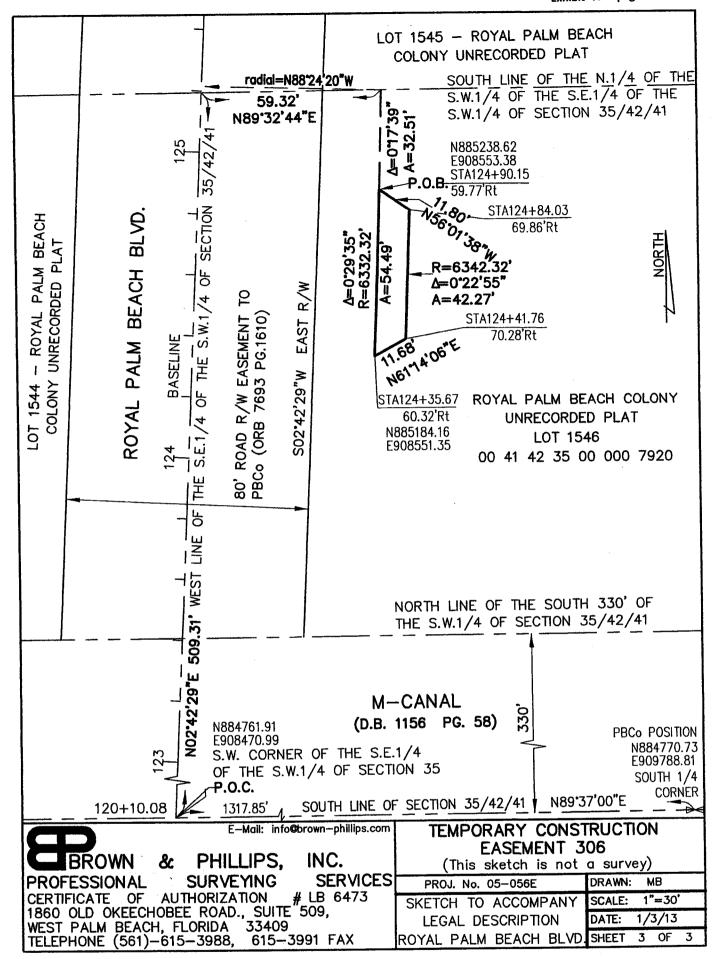


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59^{th} Street North to south of 62^{nd} Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60^{th} Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 307, AS A TEMPORARY CONSTRUCTION EASEMENT ACQUISITION, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 307 as a temporary construction easement acquisition; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, as 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 307 for the temporary construction easement acquisition, described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the temporary construction easement designated as Parcel 307 is necessary for the purpose of tying in and harmonizing the adjacent property to include driveways, walkways, etc. with the construction and improvements to be undertaken by Palm Beach County for the before mentioned project; and,

WHEREAS, this temporary construction easement is granted upon the condition that any necessary grading and/or sloping shall not extend beyond the limits as outlined in Exhibit "A" and that the temporary construction easement shall expire three years from the date of acquisition or upon acceptance by the Board of County Commissioners of the completed construction, whichever is earlier; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 307 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:

- a. This Board adopts and ratifies those matters set forth in the foregoing recitals.
- b. The County Engineer and County Attorney are 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- c. The County Engineer and County Attorney are hereby further 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a temporary construction easement necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	-			
,	who moved its add er,	was offered by Coption. The motion was and upon being put to	seconded by	
Cor	nmissioner Steven	L. Abrams, Mayor		
Cor	nmissioner Priscilla	a A. Taylor, Vice Mayor		
Cor	nmissioner Hal R.	Valeche	-	
Cor	nmissioner Paulett	e Burdick		
Con	nmissioner Shelley	Vana		
Con	nmissioner Mary L	ou Berger		
Con	nmissioner Jess R	Santamaria		
The Mayo adopted this	r thereupon decla	red the Resolution duly _ day of	passed and, 2013.	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS		
		Sharon R. Bock, Clerk	& Comptroller	
RV.		BY:		

County Attorney

Deputy Clerk

TEMPORARY CONSTRUCTION EASEMENT 307

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER, OF THE

SOUTHWEST QUARTER, OF SAID SECTION 35;
THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER, NO2'42'29"E FOR 509.31 FEET TO THE SOUTH LINE OF THE NORTH QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SAID SECTION 35; THENCE ALONG SAID SOUTH LINE, N89'32'44"E FOR 59.32 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 6,332.32 FEET, WHERE A RADIAL LINE BEARS N88'24'20"W:

THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0°02'51" FOR 5.25 FEET TO TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 0°23'25" FOR 43.12 FEET;

THENCE S63'02'30"E FOR 11.11 FEET TO A CURVE CONCENTRIC WITH THE LAST-DESCRIBED CURVE, AND HAVING A RADIUS OF 6342.32 FEET; THENCE SOUTHERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF

019'50" FOR 36.60 FEET;

THENCE S81°35'33"W FOR 10.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 399 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

> JOHN E. PHILLIPS, III PROFESSIONAL LAND\\$URVEYOR STATE OF FLORIDA NO. 4826 DATE: (2)

E-Mail: info@brown-phillips.com BROWN & PHILLIPS. INC. PROFESSIONAL **SERVICES** SURVEYING CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)—615—3988, 615—3991 FAX CERTIFICATE OF AUTHORIZATION

TEMPORARY CONSTRUCTION EASEMENT 307

PROJ. No. 05-056E	DRAWN: MB
LEGAL DESCRIPTION	SCALE: 1"=30'
ROYAL PALM BEACH BLVD	DATE: 11/20/12
NOTAL TALM BLACT BLVD	SHEET 1 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR 60th STREET NORTH, PREPARED BY K-F GROUP, INC., PROJECT No.2004507, DATED 10/09.
- 2) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000014
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
- E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- 3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

- 4) ABBREVIATIONS: P.O.C.— POINT OF COMMENCEMENT STA STATION Rt RIGHT P.O.B. POINT OF BEGINNING P.B. PLAT BOOK R/W RIGHT—OF—WAY A CENTRAL ANGLE A ARC LENGTH ORB OFFICIAL RECORD BOOK PBCo PALM BEACH COUNTY S.B.T.E. SOUTHERN BELL TELEPHONE EASEMENT
- 5) BEARING BASIS: N89°37'00"E (GRID) ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BETWEEN PALM BEACH COUNTY BRASS DISKS FOUND AT THE SOUTH QUARTER CORNER AND THE S.W. SECTION CORNER.

S.W. CORNER PBCo POSITION N884753.09 E907153.18

N89'37'00"E (G) 2635.69'

SOUTH LINE OF SECTION 35/42/41 SOUTH 1/4 CORNER PBCo POSITION N884770.73 E909788.81

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)—615—3988, 615—3991 FAX

TEMPORARY CONSTRUCTION EASEMENT 307

PROJ. No. 05-056E DRAWN: MB

DESCRIPTION NOTES

ROYAL PALM BEACH BLVD

SHEET 2 OF 3

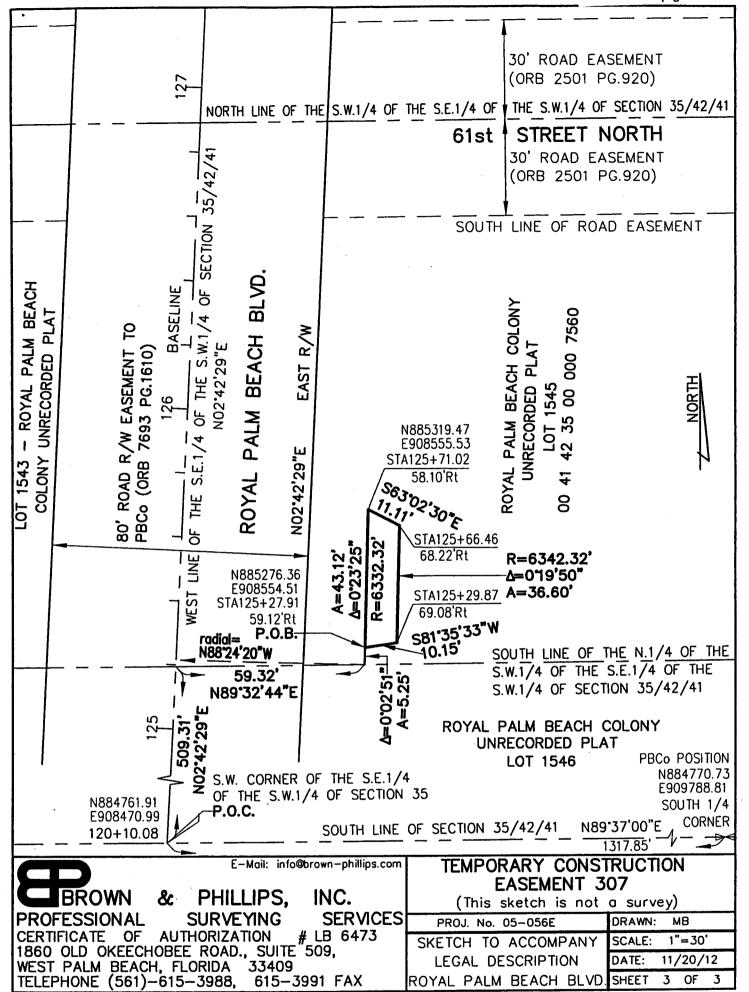


EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 1, AS A FEE SIMPLE WHOLE TAKE ACQUISITION FOR A WATER MANAGEMENT AREA, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD PROJECT TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 1 as a fee simple whole take acquisition necessary for a water management area; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 1, for a fee simple whole take acquisition for a water management area, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 1 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:**

- This Board adopts and ratifies those matters set forth in the a. foregoing recitals.
- The County Engineer and County Attorney are authorized and b. 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- The County Engineer and County Attorney are hereby further C. 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a fee simple whole take acquisition for a water management area necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

offered

hv

Commissioner

Co	ne foregoing who pmmissioner follows:	Resolutior moved its a	adoption.	offered The motio peing put to	n was seco	nissioner nded by vote was
	Commissi	oner Steven	L. Abram	ıs, Mayor	WAS &	
	Commission	oner Priscilla	a A. Taylor	, Vice Mayo	or	
	Commissi	Commissioner Hal R. Valeche				
	Commission	oner Paulette	e Burdick			
	Commission	oner Shelley	Vana			
Commissioner Mary Lou Berger						
	Commission	oner Jess R.	Santama	ria		
this	Γhe Mayor there	upon declare day of	ed the Res	solution duly	/ passed and , 2013.	adopted
APPROVED A	AS TO FORM. SUFFICIENCY				RD OF	
			Sharon	R. Bock, C	lerk & Compti	roller
BY:			BY:			
County Attorn	еу		Deputy 0	Clerk		

EXHIBIT "A" PARCEL 1 PROPERTY

The following described land, situate; lying and being in Palm Beach County, Florida, to-wit:

The East ½ of the Northwest ¼ of

 $Property\ Appraiser's\ Parcel\ Identification\ (Folio)\ Number-00-41-43-02-00-000-1810.$

EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PARCEL OF LAND DESIGNATED AS PARCEL 2, AS A FEE SIMPLE WHOLE TAKE ACQUISITION FOR A WATER MANAGEMENT AREA, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF THE 60th STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BOULEVARD TO BE FOR A PUBLIC USE AND PURPOSE, 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, necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard project, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of the Parcel designated as Parcel 2 as a fee simple whole take acquisition necessary for a water management area; and,

WHEREAS, the property owner has not accepted the offer to purchase made by Palm Beach County; and,

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

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternate Routes or Methodologies, Long Range Plans and the Environment, as applicable to this parcel, 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 2, for a fee simple whole take acquisition for a water management area, which is more fully described in Exhibit "A", is necessary for the following public use and purpose, to wit: the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard and as such, the acquisition of said property is for a public use and purpose deemed to be in the best interest of Palm Beach County; and,

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and,

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

WHEREAS, in order to accomplish the acquisition of Parcel 2 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:

- This Board adopts and ratifies those matters set forth in the a. foregoing recitals.
- The County Engineer and County Attorney are authorized and b. 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 "A", and prepare all papers, pleadings and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.
- The County Engineer and County Attorney are hereby further C. 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 "A" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A" is to be used for the following public use and purpose; a fee simple whole take acquisition for a water management area necessary for the construction and improvement of the 60th Street North, from West of Royal Palm Beach Boulevard to East of Royal Palm Beach Boulevard.

	toregoing Re who move	ed its add	option. T	he motior	n was se	conded	by
Com as fo	missioner bllows:	, and	upon bei	ng put to a	vote, the	vote	was
	Commissioner	Steven L.	Abrams,	Mayor			
	Commissioner	Priscilla A	. Taylor, \	√ice Mayo	r <u>.</u>		
	Commissioner	Hal R. Val	leche				
	Commissioner	Paulette B	Burdick				
	Commissioner	Shelley Va	ana		-		
	Commissioner	Mary Lou	Berger				
	Commissioner	Jess R. Sa	antamaria	ı .			
	e Mayor thereupon					nd adop	oted
APPROVED AS TO FORM AND LEGAL SUFFICIENCY			FLORIDA	EACH COU A, BY MMISSION	ITS BO	ARD	OF
			Sharon R	l. Bock, Cl	erk & Com	ptroller	
3Y:		_ 8	3Y:		to more		_
County Attorney		D	eputy Cle	erk			

County Attorney

EXHIBIT "A" PARCEL 2 PROPERTY

The following described land, situate; lying and being in Palm Beach County, Florida, to-wit:

The West ½ of the Northeast ¼ of the Northeast ¼ of the Northeast ¼ of Section 2, Township 43 South, Range 41 East, Palm Beach County, Florida.

Property Appraiser's Parcel Identification (Folio) Number – 00-41-43-02-00-000-1040.

EXHIBIT "B"

60TH STREET NORTH, FROM WEST OF ROYAL PALM BEACH BOULEVARD TO EAST OF ROYAL PALM BEACH BLVD. WORK INCLUDES BRIDGE RECONSTRUCTION OVER THE M-CANAL AND ASSOCIATED PAVEMENT WORK ON ROYAL PALM BEACH BOULEVARD. PALM BEACH COUNTY, PROJECT #2004507C

SAFETY

60th Street North is currently a two (2) lane shellrock road running east-west from 140th Avenue North, to 110th Avenue North. More specifically, the limits of construction for the construction and improvement of 60th Street North, goes from 120th Avenue North to the State Road 7 Extension. The construction will upgrade 60th Street North to three (3) lanes and will improve the overall safety for users by providing an additional lane to allow turning vehicles to separate from the stream of through traffic.

Royal Palm Beach Blvd. is a two (2) lane paved roadway running north-south from Persimmon Blvd. north to Orange Blvd. The segment of Royal Palm Beach Blvd. from south of 59th Street North to south of 62nd Lane North is included in this project. Currently, the road features an aging bridge that crosses over the M-Canal which is subject to heavy traffic. Improvements on this segment of Royal Palm Beach Blvd. include the replacement of the bridge, and reconstruction of the entire intersection with 60th Street North. Replacement of the bridge and reconstruction of the intersection, along with the addition of a traffic signal at the intersection will improve the overall safety for users by replacing the aging bridge with a new structure, and eliminating a poor sight-distance condition that exists today.

The design of the project has been done 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 improving these portions of 60th Street North and Royal Palm Beach Blvd. were estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road program. During the design of the roadway, all reasonable efforts have been 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 these parcels fit into the planned funding for this project, and the acquisition of these parcels was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Royal Palm Beach Blvd. is a heavily travelled roadway located on the east side of the Acreage community, and 60th Street North traffic is expected to increase with the opening of the northernmost leg of State Road 7 Extension. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined these roadways as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, F. S. and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving Seminole Pratt Whitney Road. Construction of an alternate route through the Acreage/Loxahatchee communities would have disrupted or displaced numerous residential properties, be more costly and result in unnecessary impacts to the environment

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2035 Long Range Transportation Plan. The 2035 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

Both 60th Street North and Royal Palm Beach Blvd. exist along established roadway corridors. The limits of the project are bordered by residential developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the construction and improvement of 60th Street North and Royal Palm Beach Blvd. within the previously stated project limits:

<u>ACQUISITIONS FOR WATER MANAGEMENT AREAS - PARCELS 1, 2</u>

The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct water management areas that are necessary for drainage for the construction and improvement of 60th Street North and Royal Palm Beach Blvd.

<u>ACQUISITIONS FOR ROAD RIGHT OF WAY EASEMENTS - PARCELS 101, 102, 103, 104, 105, 106, 107, 108</u>

Currently, the County owns an 80 ft wide Road Right of Way Easement interest on Royal Palm Beach Blvd., and has access rights for roadway construction on the side streets. The parcels to be acquired represent acquisitions outside of the 80 ft. mainline and are required to construct the new bridge and a properly functioning roadway (pavement, curb & gutter, sidewalk, etc.).

<u>ACQUISITIONS FOR PERMANENT EASEMENTS – PARCELS 201, 202, 203, 204, 205, 206, 207, 208</u>

Areas where grading for drainage purposes and/or drainage structures must be placed outside of the 80 ft. mainline easements, which can never be altered or impacted negatively by the owner, requires acquisition of a permanent easement. This easement allows the placement of drainage structures and/or swales within the permanent easement to capture any drainage that may have historically drained to the roadway system. Maintaining this drainage system is instrumental in preventing flooding of the adjacent properties.

<u>ACQUISITIONS FOR TEMPORARY CONSTRUCTION EASEMENTS – PARCELS 302, 303, 304, 305, 306, 307</u>

Temporary Construction Easements (expiring after construction) are required adjacent to the Road Right of Way Easement or Permanent Easements in order to construct driveways and re-grade the existing ground to match and harmonize with existing grades on adjacent properties.