

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 20, 2019

Consent

Regular

Workshop

Public Hearing

Department: Engineering and Public Works

Submitted By: Engineering and Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: three resolutions to declare the acquisition of properties designated as parcel 101 as fee simple road right-of-way and parcels 301, 303A and 303B as temporary construction easements as necessary for the construction of the intersection improvement project at Congress Avenue and Palm Beach Lakes Boulevard (Project).

SUMMARY: Adoption of these resolutions will initiate eminent domain proceedings pursuant to Florida Statutes, Chapters 73, 74, 127, and 337.27, as amended, against four parcels having a total appraised value of \$258,400. The parcels are necessary for the construction of intersection improvements at Congress Avenue and Palm Beach Lakes Boulevard. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the project, which is funded in the current Five Year Road Program. District 7 (MAB)

Background and Justification: The acquisition of parcels 101, 301, 303A and 303B is for a public purpose and necessity, which is deemed to be in the best interest of the County. The Engineering Department recommends the Board of County Commissioners' approval.

Attachments:

1. Location Map
2. Resolution for Parcels 101 and 301 with Exhibits "A-1" & "A-2" and Exhibit "B"
3. Resolution for Parcel 303A with Exhibits "A" and Exhibit "B"
4. Resolution for Parcel 303B with Exhibits "A" and Exhibit "B"

Recommended by:

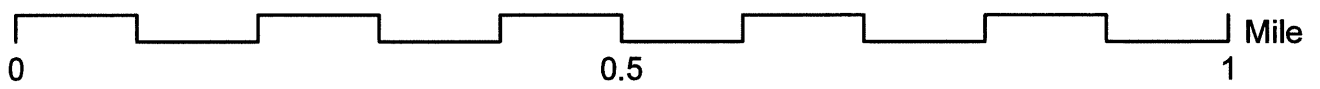
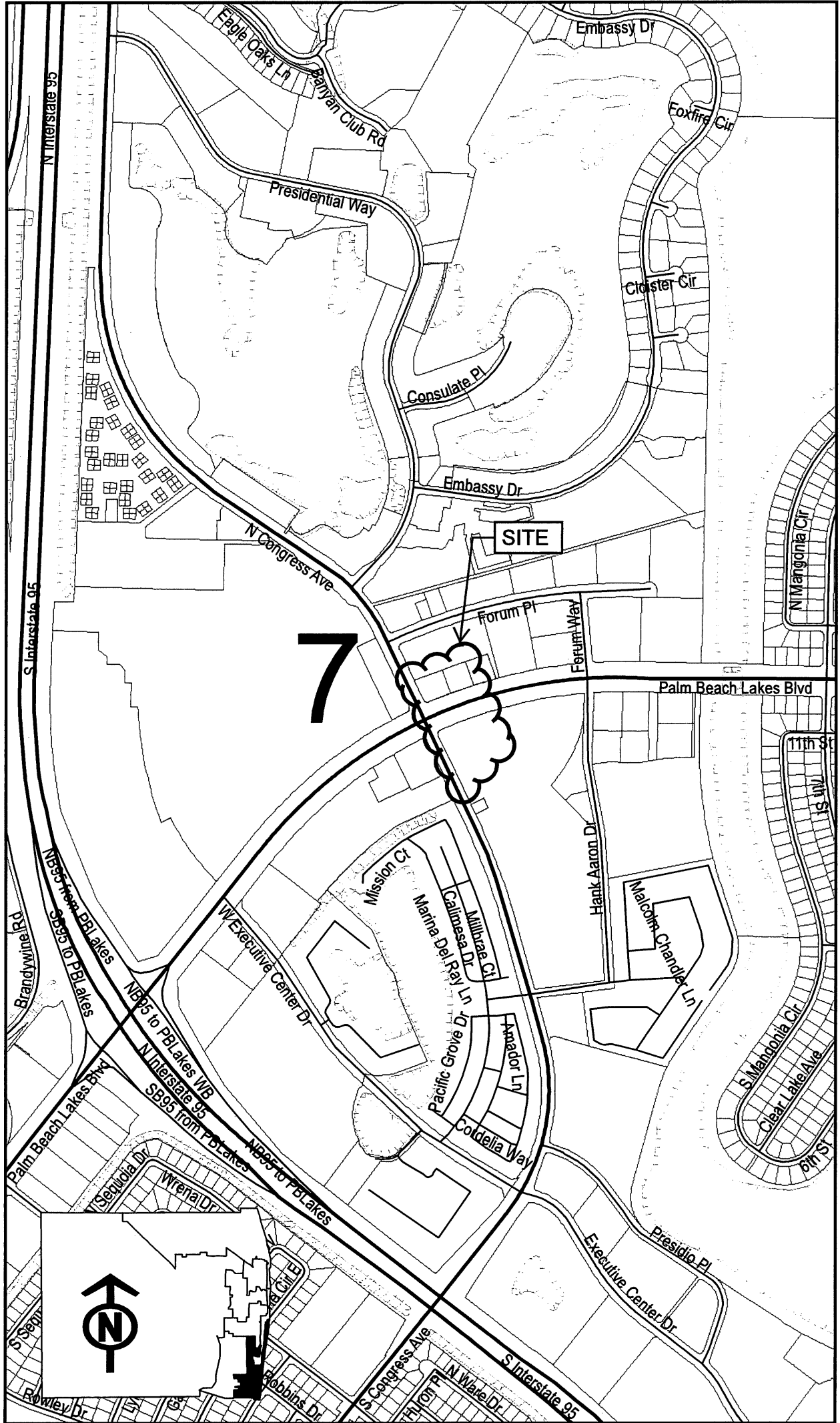
David Z. [Signature]
County Engineer

7/10/19
Date

Approved by:

Pile
Assistant County Administrator

7/24/19
Date



Location Map

RESOLUTION NO. R-2019-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF PROPERTIES DESIGNATED AS PARCEL 101 AS A FEE SIMPLE ACQUISITION AND PARCEL 301 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF CONGRESS AVENUE AND PALM BEACH LAKES 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 (BCC); and

WHEREAS, the parcels are necessary for the construction of a right turn lane at the intersection of Congress Avenue and Palm Beach Lakes Boulevard; and,

WHEREAS, the funds are available for the acquisition of the properties designated as Parcel 101, as a fee simple acquisition and Parcel 301, as a temporary construction easement; and

WHEREAS, the temporary construction easement (expiring no later than three years from the date of deposit) is for access and all related construction activities reasonably required for driveway construction, sloping, grading, and to harmonize the road construction with the adjacent property; and

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

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Florida Statutes, Chapters 73, 74, 127, and 337.27, as amended; and

WHEREAS, the BCC 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, the BCC has determined that the acquisition of the real property identified as Parcel 101 for a fee simple acquisition and Parcel 301 for a temporary construction easement which are more fully described in Exhibit "A-1" and Exhibit "A-2", are necessary for the construction and improvement of Congress Avenue and Palm Beach Lakes Boulevard, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A-1" and Exhibit "A-2"; and

WHEREAS, the property described in Exhibit "A-1" and Exhibit "A-2", 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 Parcels 101 and 301, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.

2. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, and other experts and witnesses, for the County to acquire in its own name by donation, purchase, or eminent domain proceedings, the real property described in Exhibit "A-1" and Exhibit "A-2", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all eminent domain proceedings are prosecuted to judgment.

3. 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-1" and Exhibit "A-2" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "A-1" and Exhibit "A-2" is to be used for the following public use and purpose: a fee simple acquisition and a temporary construction easement necessary for the construction of a right turn lane at the intersection of Congress Avenue and Palm Beach Lakes 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 Mack Bernard, Mayor _____
- Commissioner Dave Kerner, Vice Mayor _____
- Commissioner Hal R. Valeche _____
- Commissioner Gregg K. Weiss _____
- Commissioner Robert S. Weinroth _____
- Commissioner Mary Lou Berger _____
- Commissioner Melissa McKinlay _____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 20_____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY,
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
MaryAnn Braun
Assistant County Attorney

By: _____
Deputy Clerk

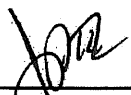
EXHIBIT A1- R/W PARCEL 101

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN SECTION 17, TOWNSHIP 43 SOUTH, RANGE 43 EAST, CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF PARCEL A OF CHRISTIAN CONVENTION CENTER PLAT, RECORDED IN PLAT BOOK 86, PAGES 13 THROUGH 15, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID PARCEL A, LYING ON THE EAST RIGHT-OF-WAY OF CONGRESS AVENUE, AS SHOWN ON SAID PLAT;
 THENCE ALONG THE WESTERLY LINE OF SAID PARCEL A,
 S25°17'26"E FOR 299.12 FEET;
 THENCE N07°18'05"W FOR 50.41 FEET;
 THENCE N24°39'09"W FOR 218.17 FEET;
 THENCE N25°17'26"W FOR 57.02 FEET TO THE NORTHERLY LINE OF SAID PARCEL A, BEING A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF OF 25.00 FEET, WHERE A RADIAL LINE BEARS S41°33'03"E;
 THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 73°44'23" FOR 32.18 FEET TO A POINT OF TANGENCY, AND TO THE POINT OF BEGINNING.

CONTAINING 4,948 SQUARE FEET (0.1136 ACRES), 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. 1826
 DATE: 4/26/18

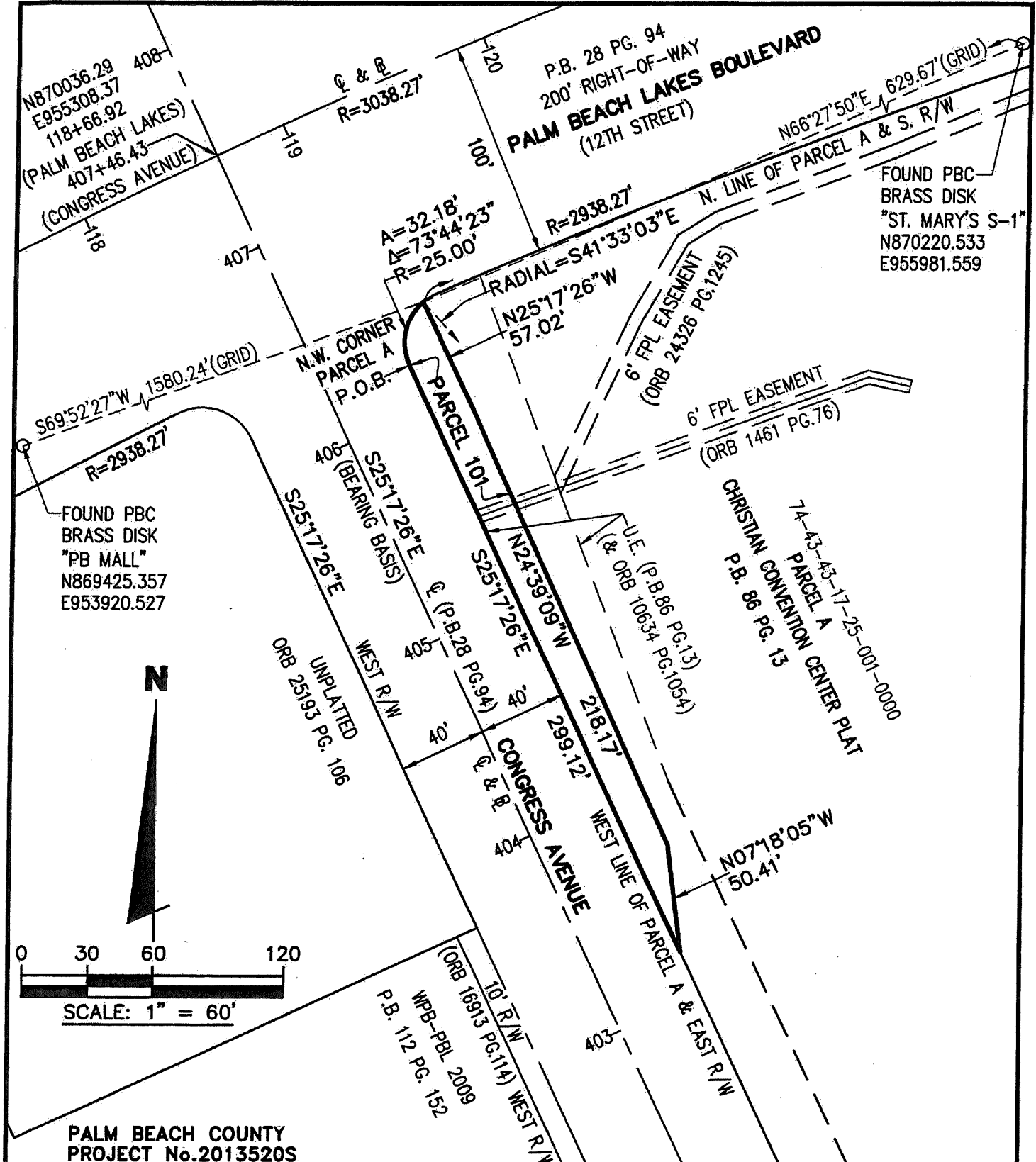
PALM BEACH COUNTY PROJECT No.2013520S



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

LEGAL DESCRIPTION	
PALM BEACH LAKES BLVD/CONGRESS AVE (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: NONE
R/W PARCEL 101	DATE: 3/26/18
	SHEET 1 OF 4



E-Mail: info@brown-phillips.com



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**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: 1" = 60'
R/W PARCEL 101	DATE: 3/26/18
	SHEET 2 OF 4


NOTES:

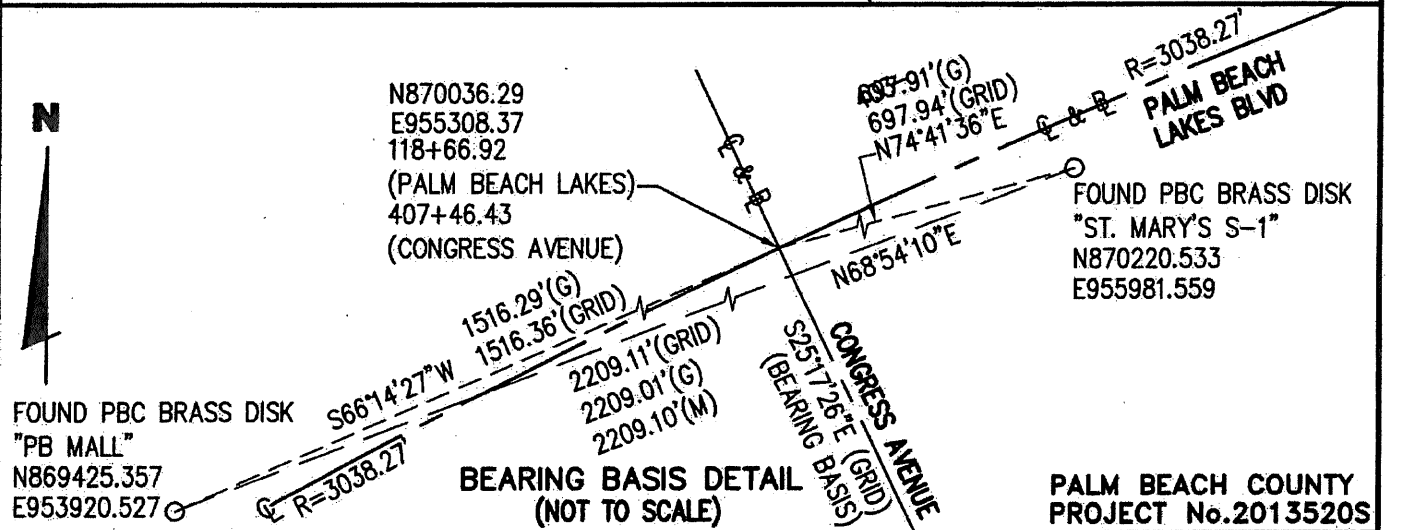
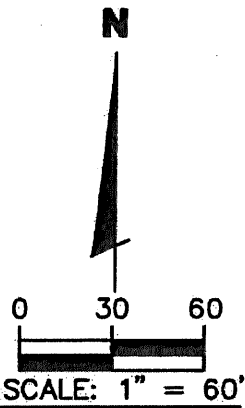
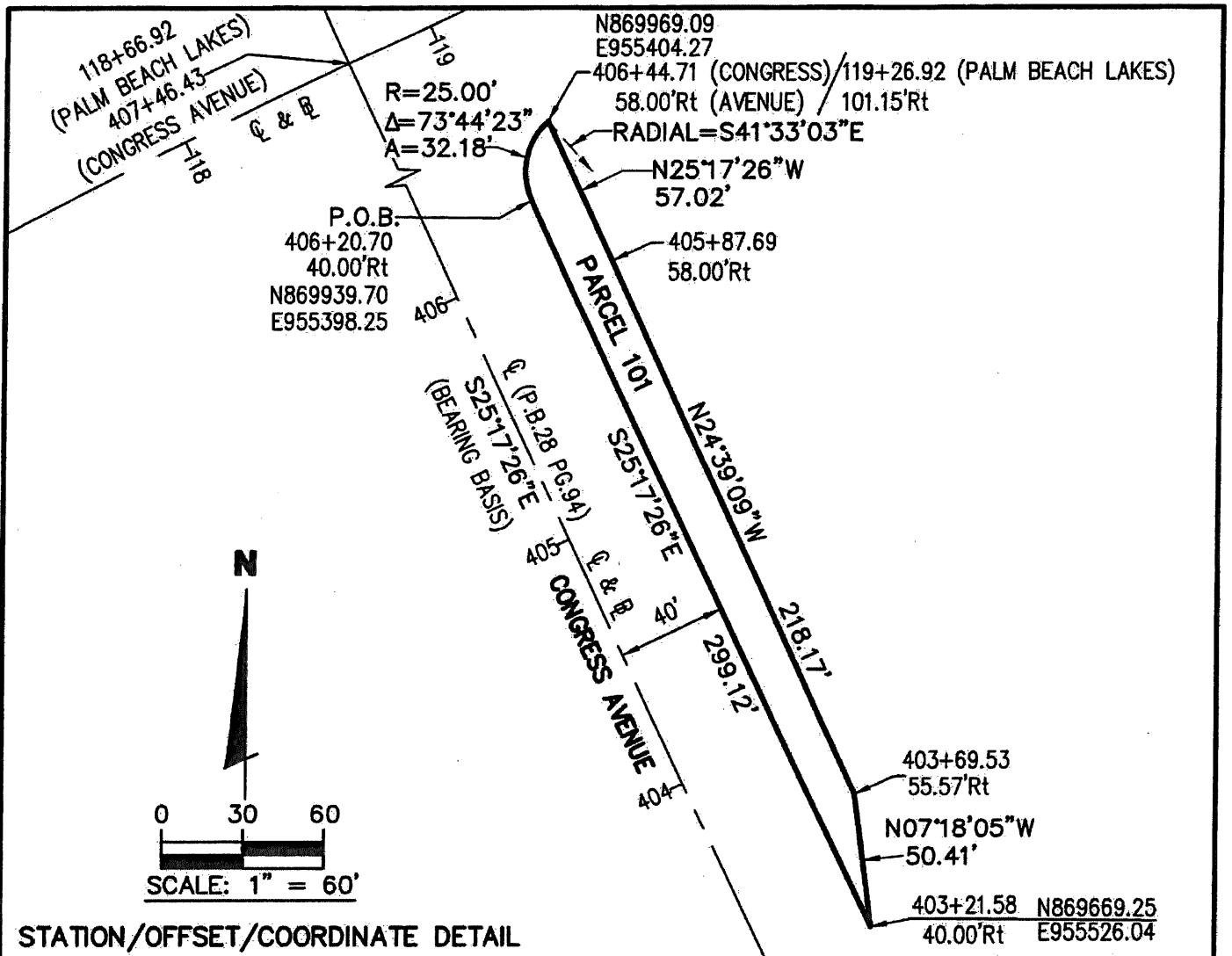
- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR CONGRESS AVE. & PALM BEACH LAKES BLVD. INTERSECTION, PREPARED BY ARCADIS U.S. INC., PALM BEACH COUNTY PROJECT No.2013520S.
- 2) STATE PLANE COORDINATES:

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD 83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND EXCEPT WHERE SHOWN AS GRID
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.000044
D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: $S25^{\circ}17'26''E$ (GRID) $1^{\circ}12'25''$ COUNTER- $S26^{\circ}29'51''E$ (PLAT) CLOCKWISE, GRID TO PLAT
- 3) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON 10/3/17 WITH AN EFFECTIVE DATE OF 9/15/17 BY ROADWAY PRODUCTION, PALM BEACH COUNTY ENGINEERING, HAS BEEN REVIEWED BY THIS OFFICE.
THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	R/W - RIGHT-OF-WAY
P.O.B. - POINT OF BEGINNING	CL - CENTERLINE
P.B. - P.B.	BL - BASELINE
ORB - OFFICIAL RECORD BOOK	R - RADIUS
PG. - PG.	Δ - CENTRAL ANGLE
FPL - FLORIDA POWER & LIGHT	A - ARC LENGTH
(G) - GROUND	LT. - LEFT OF BASELINE
(M) - MEASURED	RT. - RIGHT OF BASELINE
TCE - TEMPORARY CONSTRUCTION EASEMENT	SEC. - SECTION
PBC - PALM BEACH COUNTY	
- 5) BEARINGS ARE BASED ON $S25^{\circ}17'26''E$ (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF CONGRESS AVENUE, REFERENCED TO A BEARING OF $N68^{\circ}54'10''E$ BETWEEN PALM BEACH COUNTY BRASS DISKS "PB MALL" AND "ST. MARY'S S-1".

PALM BEACH COUNTY
PROJECT No.2013520S

 <p style="text-align: center;">E-Mail: info@brown-phillips.com</p> <p>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</p>	DESCRIPTION NOTES	
	PALM BEACH LAKES BLVD/CONGRESS AVE	
	PROJ. No. 15-045	DRAWN: MB
	R/W PARCEL 101 (THIS IS NOT A SURVEY)	SCALE: NONE
	DATE: 3/26/18	
	SHEET 3 OF 4	



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R/W PARCEL 101	SCALE: NONE
(THIS IS NOT A SURVEY)	DATE: 3/26/18
	SHEET 4 OF 4

EXHIBIT A²- TCE 301

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 S25°17'26"E FOR 299.12 FEET TO THE POINT OF BEGINNING;
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 THENCE N24°39'09"W FOR 218.17 FEET;
 THENCE N25°17'26"W FOR 57.02 FEET TO THE NORTHERLY LINE OF SAID PARCEL A,
 BEING A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF OF 25.00 FEET, WHERE A RADIAL LINE BEARS S41°33'03"E;
 THENCE NORTHEASTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 17°32'19" FOR 7.65 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2938.37 FEET;
 THENCE CONTINUE ALONG SAID NORTH LINE OF PARCEL A, NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 0°02'51" FOR 2.44 FEET;
 THENCE S25°17'26"E FOR 58.01 FEET;
 THENCE S24°39'09"E FOR 219.76 FEET;
 THENCE S07°18'05"E FOR 48.69 FEET;
 THENCE S64°42'34"W FOR 10.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,263 SQUARE FEET (0.0749 ACRES), MORE OR LESS.

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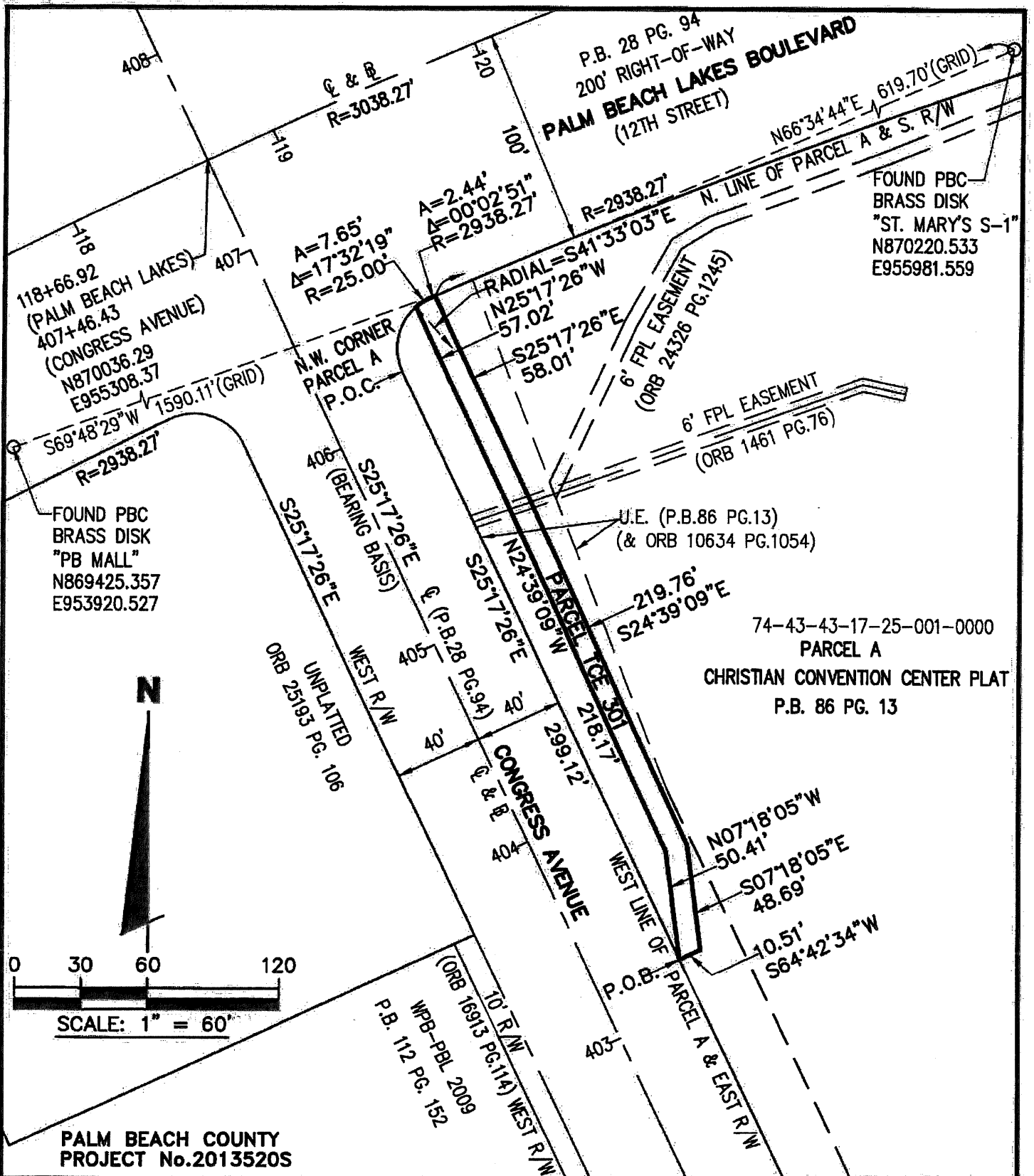
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DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: NONE
TCE 301	DATE: 3/26/18
	SHEET 1 OF 4



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B BROWN & PHILLIPS, INC.
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	SHEET 2 OF 4

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR CONGRESS AVE. & PALM BEACH LAKES BLVD. INTERSECTION, PREPARED BY ARCADIS U.S. INC., PALM BEACH COUNTY PROJECT No.2013520S.

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- 3) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON 10/3/17 WITH AN EFFECTIVE DATE OF 9/15/17 BY ROADWAY PRODUCTION, PALM BEACH COUNTY ENGINEERING, HAS BEEN REVIEWED BY THIS OFFICE.
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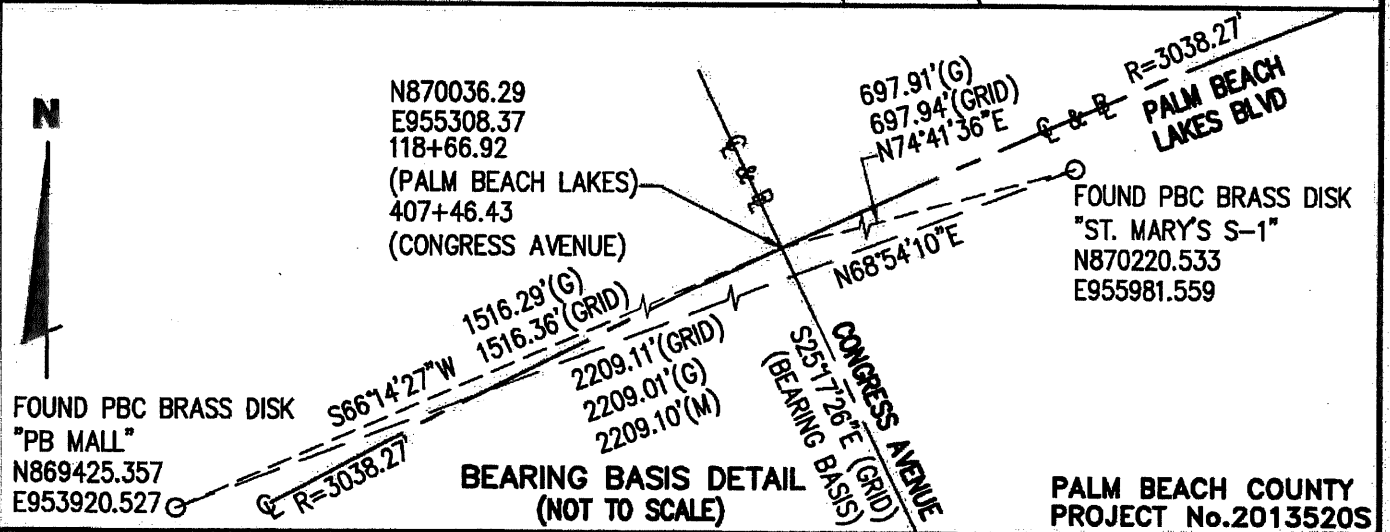
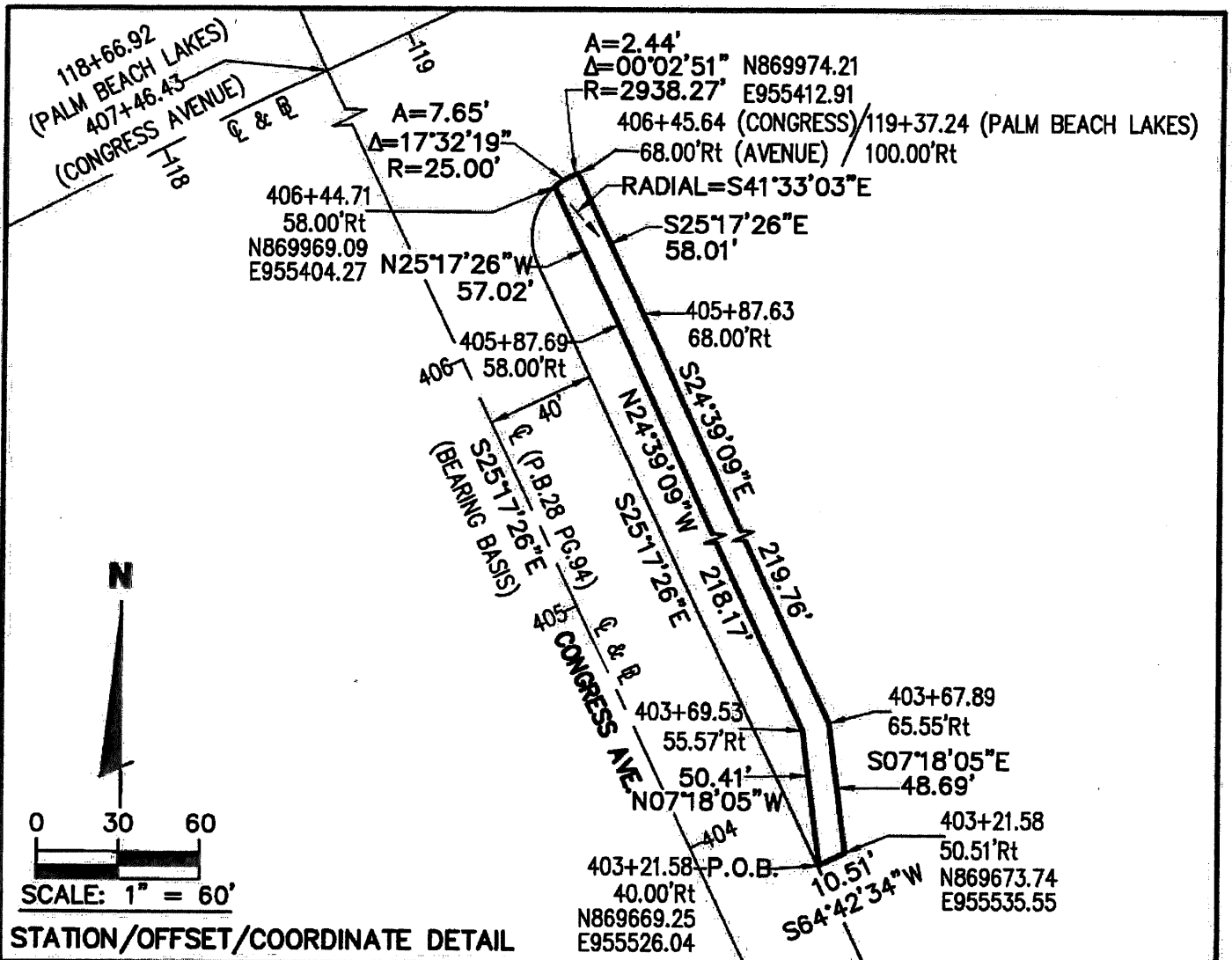
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PALM BEACH COUNTY
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TCE 301	SCALE: NONE
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	SHEET 4 OF 4

EXHIBIT "B"

CONGRESS AVENUE AND PALM BEACH LAKES BOULEVARD, PALM BEACH COUNTY, PROJECT #2013520

SAFETY

Congress Avenue is currently a 4 to 6 lane paved roadway running north-south from Belvedere Road to Northlake Boulevard. Palm Beach Lakes Boulevard is currently a 4 to 8 lane paved roadway running east-west from Okeechobee Boulevard to Flagler Drive. More specifically, the limits of construction for this project extend along Congress Avenue from approximately 500' south of, and 450' north of, Palm Beach Lake Boulevard, and along Palm Beach Lakes Boulevard from approximately 1,100' west and east of Congress Avenue. The limits of this project are within a commercial area. This project will improve Congress Avenue by adding a northbound right turn lane at Palm Beach Lakes Boulevard, and will improve Palm Beach Lakes Boulevard by adding an additional westbound through lane approaching Congress Avenue. This project includes the construction of additional pavement, curb and gutter, sidewalks and additional drainage, and will improve the overall safety for motorists, bicyclists and pedestrians.

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 the intersection of Congress Avenue and Palm Beach Lakes Boulevard was 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 were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of these parcels fits into the planned funding for this project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Congress Avenue and Palm Beach Lakes Boulevard are a heavily travelled roadways passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) for many years has defined these roadways as routes required 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 and methodologies were considered for addressing the traffic demands at the project intersection but this alternative was found to be the most economically feasible.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2040 Long Range Transportation System Plan. The 2040 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

Congress Avenue and Palm Beach Lakes Boulevard exist along an established roadway corridor. The limits of the project are bordered by existing commercial 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.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Congress Avenue and Palm Beach Lakes Boulevard within the previously stated project limits:

ACQUISITION FOR ROAD RIGHT-OF-WAY - PARCEL 101

Currently, Palm Beach County owns an 80 foot to 90 foot wide Road Right-of-Way interest along Congress Avenue south of Palm Beach Lakes Boulevard. The parcel to be acquired represents acquisition outside of the existing mainline Right-of-Way and is required to construct roadway widening, curb and gutter, sidewalk, and additional drainage

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT – PARCEL 301

This Easement (expiring no later than three years from the date of deposit) is for access and all related construction activities reasonably required for driveway construction, sloping, grading and to harmonize the road construction with the adjacent property.

RESOLUTION NO. R-2019-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY DESIGNATED AS PARCEL 303A AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF CONGRESS AVENUE AND PALM BEACH LAKES 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 (BCC); and

WHEREAS, the parcel is necessary for the construction of a right turn lane at the intersection of Congress Avenue and Palm Beach Lakes Boulevard; and,

WHEREAS, the funds are available for the acquisition of the property designated as Parcel 303A as a temporary construction easement; and

WHEREAS, the easement (expiring no later than three years from the date of deposit) is for access and all related construction activities reasonably required for driveway construction, sloping, grading, and to harmonize the road construction with the adjacent property; and

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

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Florida Statutes, Chapters 73, 74, 127, and 337.27, as amended; and

WHEREAS, the BCC 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, the BCC has determined that the acquisition of the real property identified as Parcel 303A for a temporary construction easement which is more fully described in **Exhibit "A"**, is necessary for the construction and improvement of Congress Avenue and Palm Beach Lakes Boulevard, and is for a public use and purpose deemed to be in the best interest of the County; and

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

WHEREAS, the property 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 303A, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.

2. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, and other experts and witnesses, for the 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.

3. 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 of a right turn lane at the intersection of Congress Avenue and Palm Beach Lakes 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 Mack Bernard, Mayor _____
- Commissioner Dave Kerner, Vice Mayor _____
- Commissioner Hal R. Valeche _____
- Commissioner Gregg K. Weiss _____
- Commissioner Robert S. Weinroth _____
- Commissioner Mary Lou Berger _____
- Commissioner Melissa McKinlay _____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 20_____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY,
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
MaryAnn Braun
Assistant County Attorney

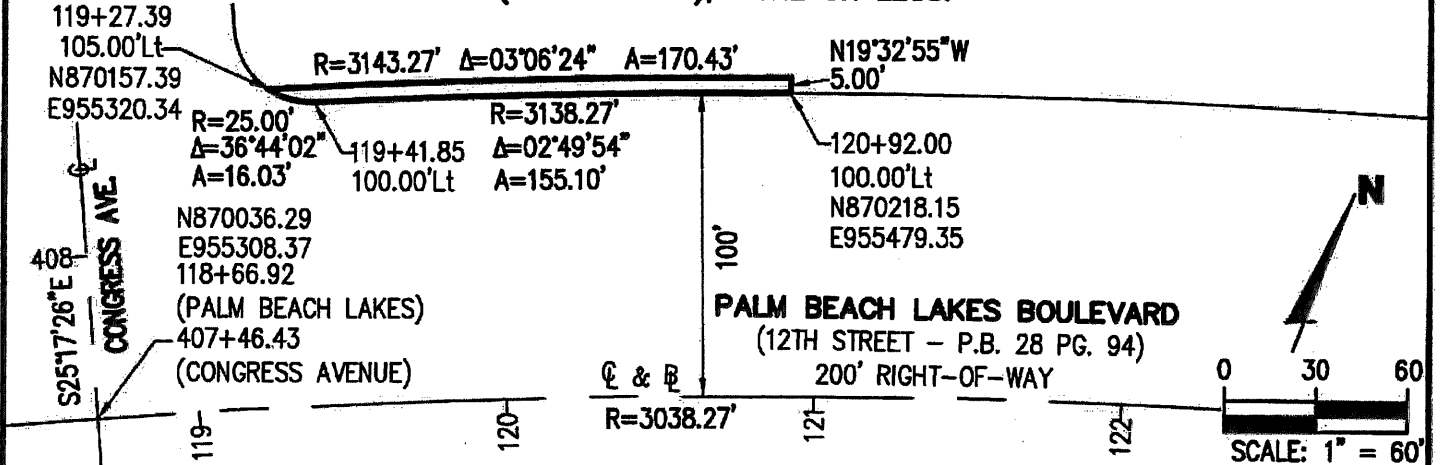
By: _____
Deputy Clerk

EXHIBIT A – TCE 303A

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN SECTION 17, TOWNSHIP 43 SOUTH, RANGE 43 EAST, CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 1, BLOCK 1, PLAT NO.2 PALM BEACH LAKES COMMERCIAL, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING THE SOUTH 5.00 FEET OF UNIT 1 OF FORUM III LAND CONDOMINIUM, RECORDED IN OFFICIAL RECORD BOOK 28865, PAGE 519, OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

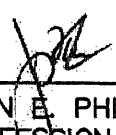
COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1;
 THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 1, AND THE NORTH RIGHT-OF-WAY OF PALM BEACH LAKES BOULEVARD, RECORDED IN PLAT BOOK 28, PAGE 94, OF SAID PUBLIC RECORDS, BEING A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 3138.27 FEET, WHERE A RADIAL LINE BEARS S19°32'55"E, THROUGH A CENTRAL ANGLE OF 01°29'50" FOR 82.01 FEET TO THE SOUTHEAST CORNER OF SAID UNIT 1, AND THE POINT OF BEGINNING;
 THENCE CONTINUE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°49'54" FOR 155.10 FEET TO THE EAST RIGHT-OF-WAY OF CONGRESS AVENUE, RECORDED IN OFFICIAL RECORD BOOK 2370, PAGE 132, OF SAID PUBLIC RECORDS, BEING A REVERSE CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET;
 THENCE WESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 36°44'02" FOR 16.03 FEET TO A CURVE LYING 5.00 FEET NORTH OF, AND CONCENTRIC WITH, THE SAID SOUTH LINE OF LOT 1, AND HAVING A RADIUS OF 3143.27 FEET;
 THENCE EASTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 03°06'24" FOR 170.43 FEET TO THE EAST LINE OF SAID UNIT 1;
 THENCE ALONG SAID EAST LINE, S19°32'55"W FOR 5.00 FEET TO THE TO THE POINT OF BEGINNING.

CONTAINING 827 SQUARE FEET (0.019 ACRES), MORE OR LESS.



STATION/OFFSET/COORDINATE DETAIL

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: 6/25/18

PALM BEACH COUNTY PROJECT No.2013520S

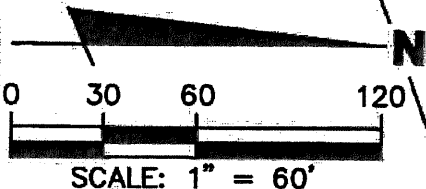
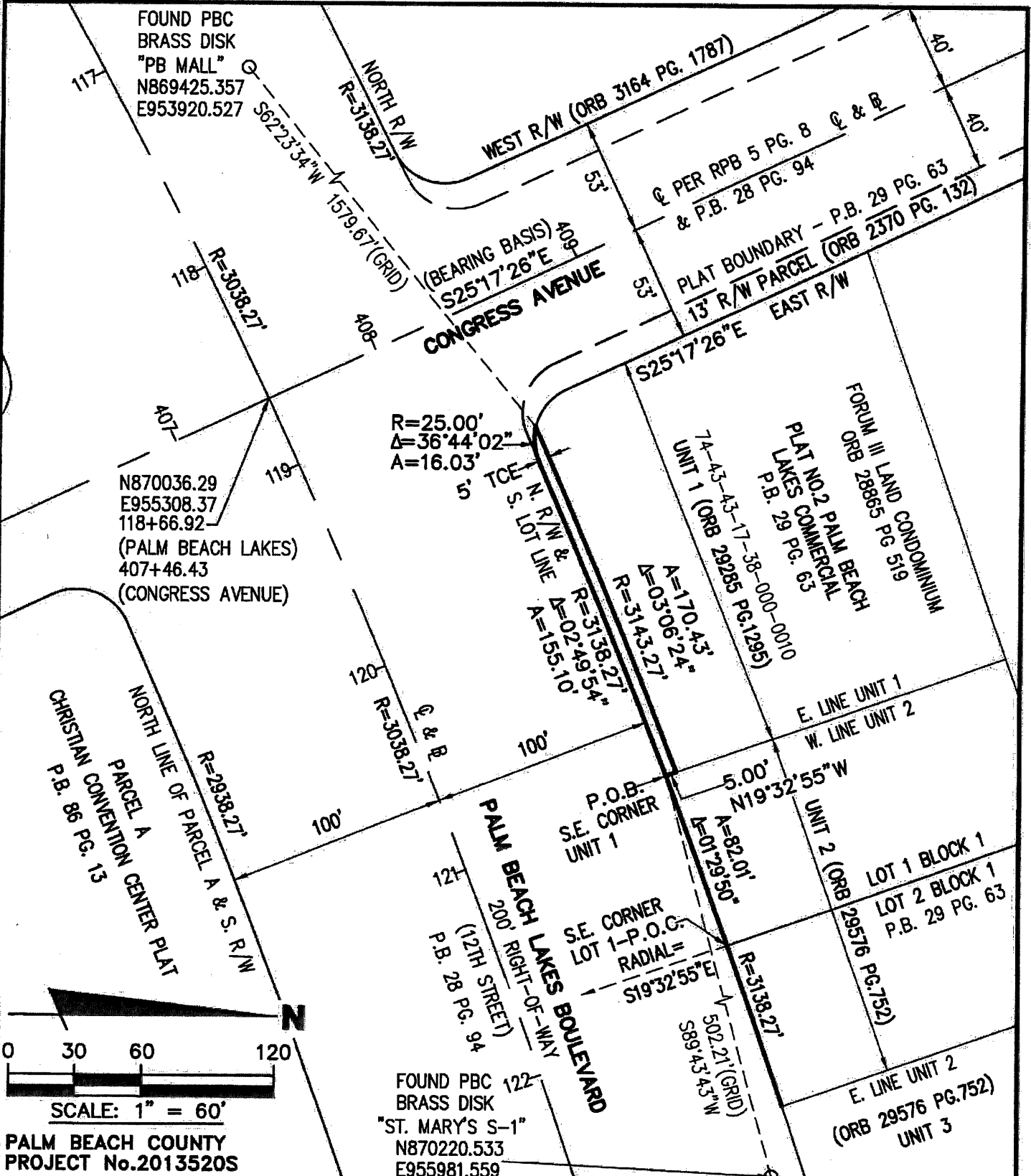


BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 1860 OLD OKEECHOBEE ROAD., SUITE 509,
 WEST PALM BEACH, FLORIDA 33409
 TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

LEGAL DESCRIPTION
PALM BEACH LAKES BLVD/CONGRESS AVE
 (THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: NONE
TCE 303A	DATE: 6/14/18
	SHEET 1 OF 3



PALM BEACH COUNTY
PROJECT No.2013520S

E-Mail: info@brown-phillips.com

B 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

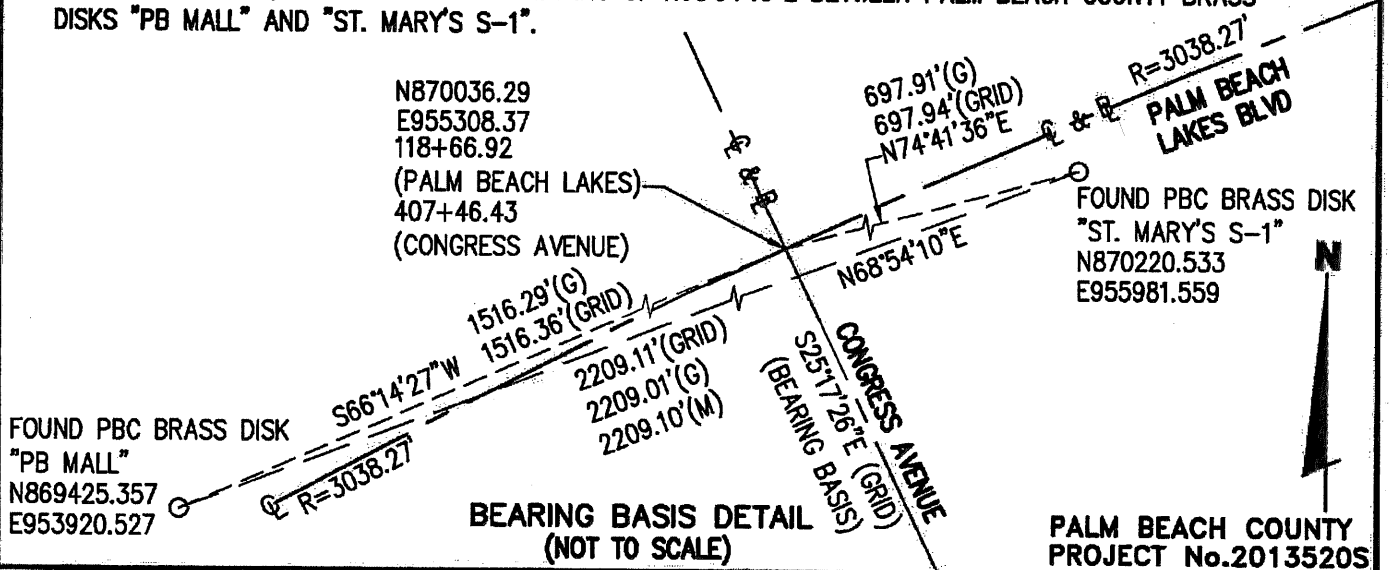
SKETCH TO ACCOMPANY LEGAL DESCRIPTION (THIS SKETCH IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: 1" = 60'
TCE 303A	DATE: 6/14/18
	SHEET 2 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR CONGRESS AVE. & PALM BEACH LAKES BLVD. INTERSECTION, PREPARED BY ARCADIS U.S. INC., PALM BEACH COUNTY PROJECT No.2013520S.
- 2) STATE PLANE COORDINATES:

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD 83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND EXCEPT WHERE SHOWN AS GRID
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.000044
D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: $S25^{\circ}17'26''E$ (GRID) $1^{\circ}12'25''$ COUNTER-CLOCKWISE, GRID TO PLAT
- 3) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON 10/3/17 WITH AN EFFECTIVE DATE OF 9/15/17 BY ROADWAY PRODUCTION, PALM BEACH COUNTY ENGINEERING, HAS BEEN REVIEWED BY THIS OFFICE. THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 4) ABBREVIATIONS:

P.O.C. - POINT OF COMMENCEMENT	R/W - RIGHT-OF-WAY
P.O.B. - POINT OF BEGINNING	CL - CENTERLINE
P.B. - P.B.	BL - BASELINE
ORB - OFFICIAL RECORD BOOK	R - RADIUS
PG. - PG.	Δ - CENTRAL ANGLE
FPL - FLORIDA POWER & LIGHT	A - ARC LENGTH
(G) - GROUND DIMENSION	LT. - LEFT OF BASELINE
(M) - MEASURED	RT. - RIGHT OF BASELINE
TCE - TEMPORARY CONSTRUCTION EASEMENT	SEC. - SECTION
PBC - PALM BEACH COUNTY	
- 5) BEARINGS ARE BASED ON $S25^{\circ}17'26''E$ (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF CONGRESS AVENUE, REFERENCED TO A BEARING OF $N68^{\circ}54'10''E$ BETWEEN PALM BEACH COUNTY BRASS DISKS "PB MALL" AND "ST. MARY'S S-1".



BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
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 TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

DESCRIPTION NOTES	
PALM BEACH LAKES BLVD/CONGRESS AVE	
PROJ. No. 15-045	DRAWN: MB
TCE 303A (THIS IS NOT A SURVEY)	SCALE: NONE
	DATE: 6/14/18
	SHEET 3 OF 3

EXHIBIT "B"

CONGRESS AVENUE AND PALM BEACH LAKES BOULEVARD, PALM BEACH COUNTY, PROJECT #2013520

SAFETY

Congress Avenue is currently a 4 to 6 lane paved roadway running north-south from Belvedere Road to Northlake Boulevard. Palm Beach Lakes Boulevard is currently a 4 to 8 lane paved roadway running east-west from Okeechobee Boulevard to Flagler Drive. More specifically, the limits of construction for this project extend along Congress Avenue from approximately 500' south of, and 450' north of, Palm Beach Lake Boulevard, and along Palm Beach Lakes Boulevard from approximately 1,100' west and east of Congress Avenue. The limits of this project are within a commercial area. This project will improve Congress Avenue by adding a northbound right turn lane at Palm Beach Lakes Boulevard, and will improve Palm Beach Lakes Boulevard by adding an additional westbound through lane approaching Congress Avenue. This project includes the construction of additional pavement, curb and gutter, sidewalks and additional drainage, and will improve the overall safety for motorists, bicyclists and pedestrians.

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 the intersection of Congress Avenue and Palm Beach Lakes Boulevard was 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 were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel fits into the planned funding for this project, and the acquisition of this parcel is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Congress Avenue and Palm Beach Lakes Boulevard are a heavily travelled roadways passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) for many years has defined these roadways as routes required 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 and methodologies were considered for addressing the traffic demands at the project intersection but this alternative was found to be the most economically feasible.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2040 Long Range Transportation System Plan. The 2040 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

Congress Avenue and Palm Beach Lakes Boulevard exist along an established roadway corridor. The limits of the project are bordered by existing commercial 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.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Congress Avenue and Palm Beach Lakes Boulevard within the previously stated project limits:

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT – PARCEL 303A

This Easement (expiring no later than three years from the date of deposit) is for access and all related construction activities reasonably required for driveway construction, sloping, grading and to harmonize the road construction with the adjacent property.

F:\ROADWAY\Mazzi\2013520\Scale Factors.docx

RESOLUTION NO. R-2019-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PROPERTY DESIGNATED AS PARCEL 303B AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION AND IMPROVEMENT OF CONGRESS AVENUE AND PALM BEACH LAKES 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 (BCC); and

WHEREAS, the parcel is necessary for the construction of a right turn lane at the intersection of Congress Avenue and Palm Beach Lakes Boulevard; and,

WHEREAS, the funds are available for the acquisition of the property designated as Parcel 303B as a temporary construction easement; and

WHEREAS, the easement (expiring no later than three years from the date of deposit) is for access and all related construction activities reasonably required for driveway construction, sloping, grading, and to harmonize the road construction with the adjacent property; and

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

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Florida Statutes, Chapters 73, 74, 127, and 337.27, as amended; and

WHEREAS, the BCC 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, the BCC has determined that the acquisition of the real property identified as Parcel 303B for a temporary construction easement, which is more fully described in **Exhibit "A"**, is necessary for the construction and improvement of Congress Avenue and Palm Beach Lakes Boulevard, and is for a public use and purpose deemed to be in the best interest of the County; and

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

WHEREAS, the property 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 303B, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.

2. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, and other experts and witnesses, for the 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.

3. 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 of a right turn lane at the intersection of Congress Avenue and Palm Beach Lakes 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 Mack Bernard, Mayor _____
- Commissioner Dave Kerner, Vice Mayor _____
- Commissioner Hal R. Valeche _____
- Commissioner Gregg K. Weiss _____
- Commissioner Robert S. Weinroth _____
- Commissioner Mary Lou Berger _____
- Commissioner Melissa McKinlay _____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 20_____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY,
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
MaryAnn Braun
Assistant County Attorney

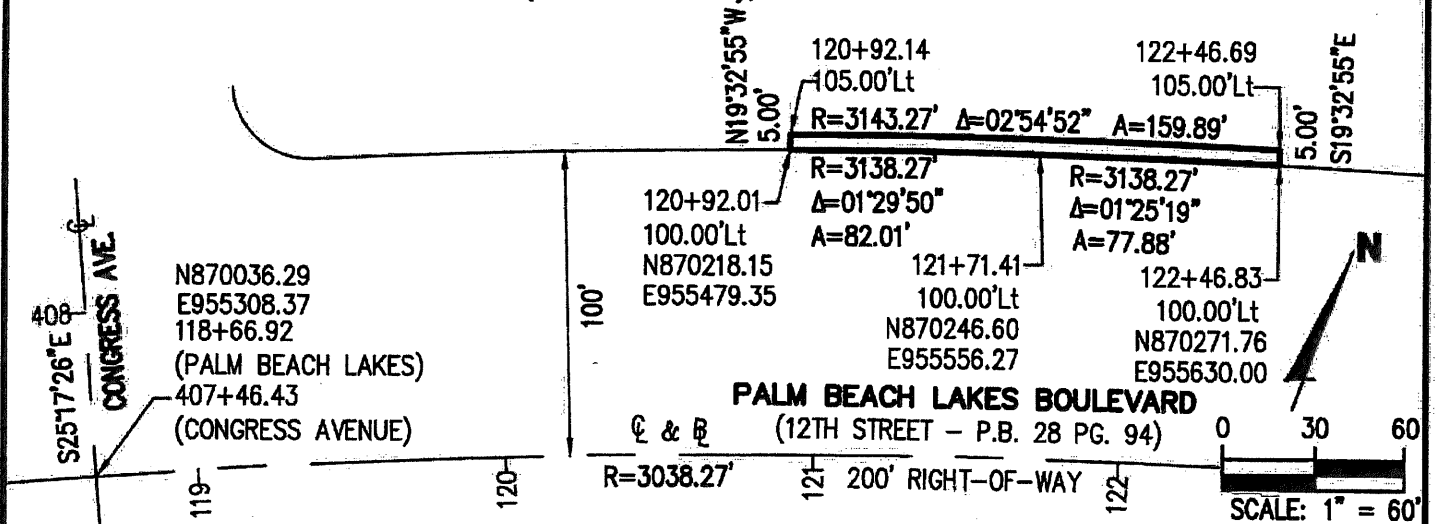
By: _____
Deputy Clerk

EXHIBIT A - TCE 303B

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN SECTION 17, TOWNSHIP 43 SOUTH, RANGE 43 EAST, CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA, LYING IN LOTS 1 AND 2, BLOCK 1, PLAT NO.2 PALM BEACH LAKES COMMERCIAL, RECORDED IN PLAT BOOK 29, PAGE 63, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING THE SOUTH 5.00 FEET OF UNIT 2 OF FORUM III LAND CONDOMINIUM, RECORDED IN OFFICIAL RECORD BOOK 28865, PAGE 519, OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 1;
 THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 1, AND THE NORTH RIGHT-OF-WAY OF PALM BEACH LAKES BOULEVARD, RECORDED IN PLAT BOOK 28, PAGE 94, OF SAID PUBLIC RECORDS, BEING A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 3138.27 FEET, WHERE A RADIAL LINE BEARS S19°32'55"E, THROUGH A CENTRAL ANGLE OF 01°29'50" FOR 82.01 FEET TO THE WEST LINE OF SAID UNIT 2;
 THENCE ALONG SAID WEST LINE, N19°32'55"W FOR 5.00 FEET TO A CURVE LYING 5.00 FEET NORTH OF, AND CONCENTRIC WITH, THE SAID SOUTH LINE OF LOT 1, AND HAVING A RADIUS OF 3143.27 FEET;
 THENCE EASTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02°54'52" FOR 159.89 FEET TO THE EAST LINE OF SAID UNIT 2;
 THENCE ALONG SAID EAST LINE, S19°32'55"E FOR 5.00 FEET TO THE SOUTH LINE OF SAID LOT 2, AND THE SAID NORTH RIGHT-OF-WAY OF PALM BEACH LAKES BOULEVARD;
 THENCE EASTERLY, ALONG SAID SOUTH LINE, NORTH RIGHT-OF-WAY, AND CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01°25'19" FOR 77.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 799.5 SQUARE FEET (0.0184 ACRES), MORE OR LESS.



STATION/OFFSET/COORDINATE DETAIL

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: 6/25/18

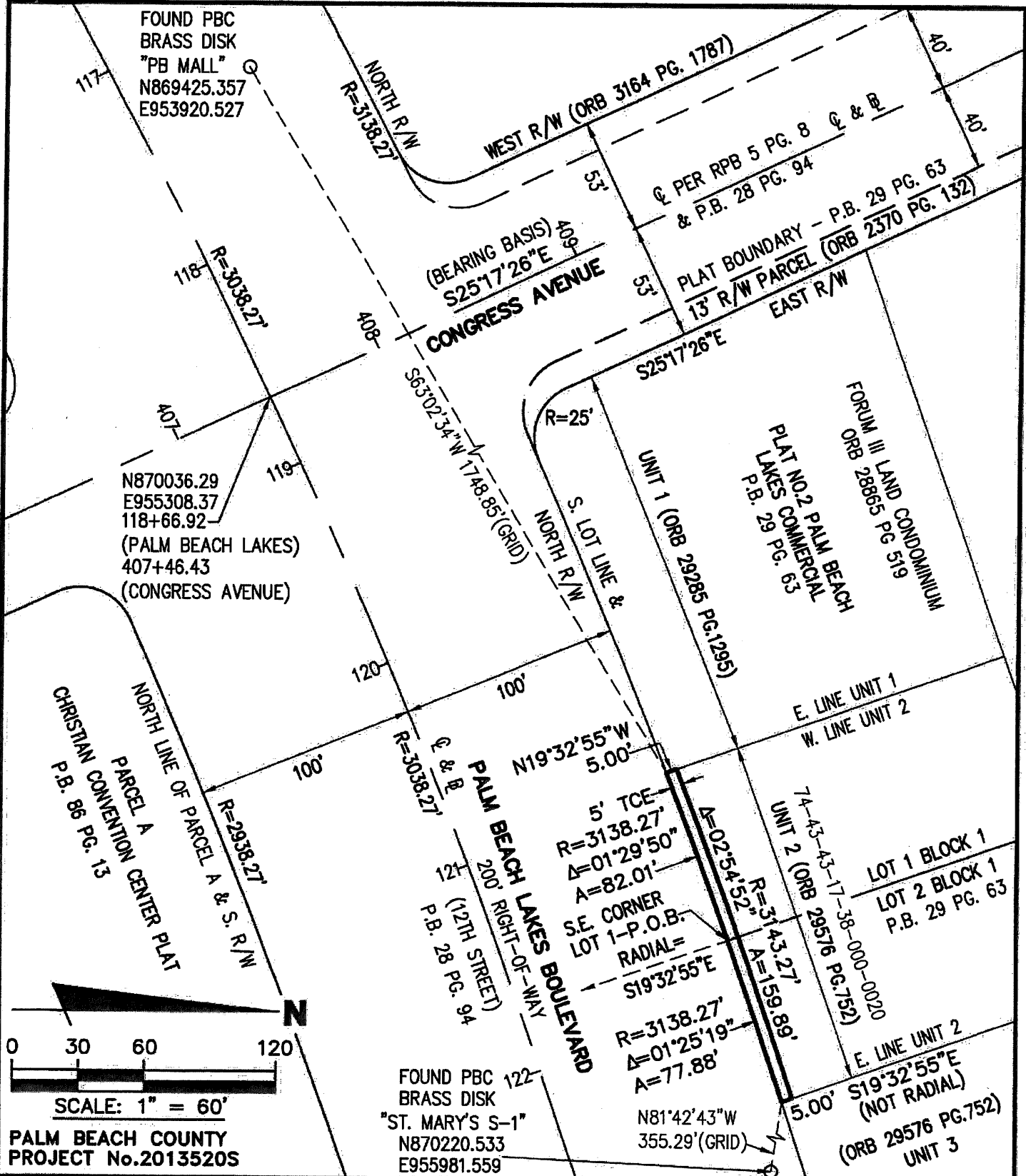
PALM BEACH COUNTY PROJECT No.2013520S

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

LEGAL DESCRIPTION
 PALM BEACH LAKES BLVD/CONGRESS AVE
 (THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: NONE
TCE 303B	DATE: 6/14/18
	SHEET 1 OF 3



E-Mail: info@brown-phillips.com

B 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

SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION
 (THIS SKETCH IS NOT A SURVEY)

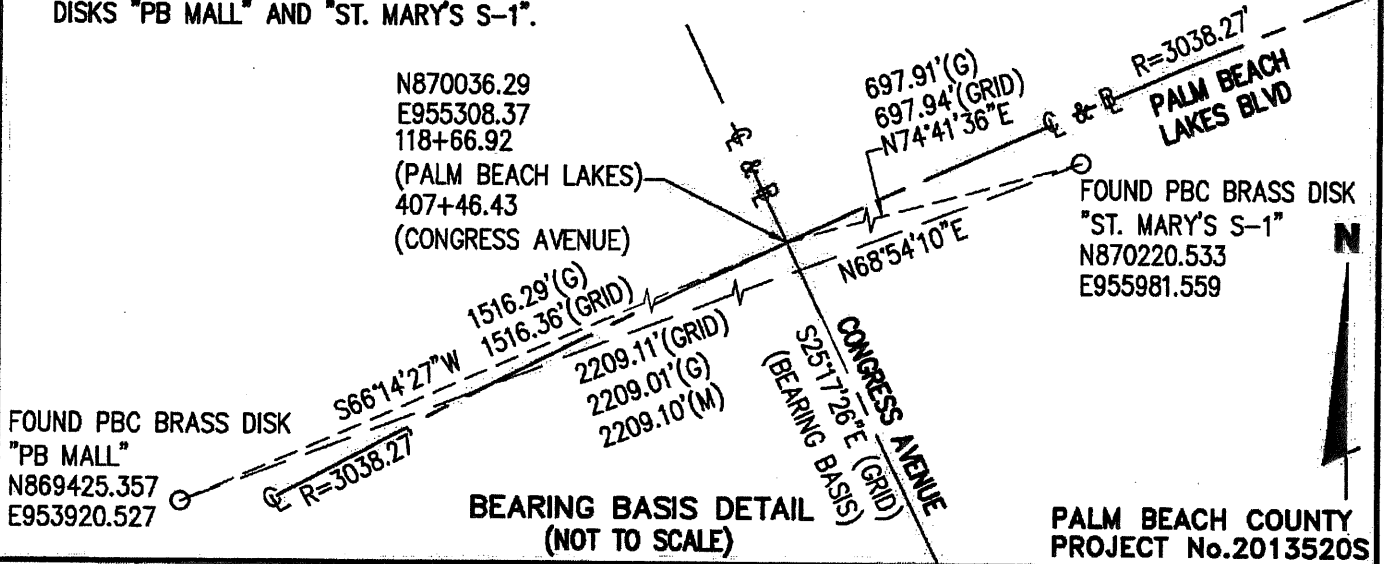
DRAWN: MDB	PROJ. No. 15-045
CHECKED: JEP	SCALE: 1" = 60'
TCE 303B	DATE: 6/14/18
	SHEET 2 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR CONGRESS AVE. & PALM BEACH LAKES BLVD. INTERSECTION, PREPARED BY ARCADIS U.S. INC., PALM BEACH COUNTY PROJECT No.2013520S.
- 2) STATE PLANE COORDINATES:

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD 83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND EXCEPT WHERE SHOWN AS GRID
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.000044
D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: $S25^{\circ}17'26''E$ (GRID) $1^{\circ}12'25''$ COUNTER-CLOCKWISE, GRID TO PLAT
- 3) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON 10/3/17 WITH AN EFFECTIVE DATE OF 9/15/17 BY ROADWAY PRODUCTION, PALM BEACH COUNTY ENGINEERING, HAS BEEN REVIEWED BY THIS OFFICE. THIS OFFICE HAS FOUND NO GAPS, CORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 4) ABBREVIATIONS:

P.O.C. - POINT OF COMMENCEMENT	R/W - RIGHT-OF-WAY
P.O.B. - POINT OF BEGINNING	CL - CENTERLINE
P.B. - P.B.	BL - BASELINE
ORB - OFFICIAL RECORD BOOK	R - RADIUS
PG. - PG.	Δ - CENTRAL ANGLE
FPL - FLORIDA POWER & LIGHT	A - ARC LENGTH
(G) - GROUND DIMENSION	LT. - LEFT OF BASELINE
(M) - MEASURED	RT. - RIGHT OF BASELINE
TCE - TEMPORARY CONSTRUCTION EASEMENT	SEC. - SECTION
PBC - PALM BEACH COUNTY	
- 5) BEARINGS ARE BASED ON $S25^{\circ}17'26''E$ (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF CONGRESS AVENUE, REFERENCED TO A BEARING OF $N68^{\circ}54'10''E$ BETWEEN PALM BEACH COUNTY BRASS DISKS "PB MALL" AND "ST. MARY'S S-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	DESCRIPTION NOTES	
	PALM BEACH LAKES BLVD/CONGRESS AVE	
	PROJ. No. 15-045	DRAWN: MB
	TCE 303B (THIS IS NOT A SURVEY)	SCALE: NONE DATE: 6/14/18 SHEET 3 OF 3

EXHIBIT "B"

CONGRESS AVENUE AND PALM BEACH LAKES BOULEVARD, PALM BEACH COUNTY, PROJECT #2013520

SAFETY

Congress Avenue is currently a 4 to 6 lane paved roadway running north-south from Belvedere Road to Northlake Boulevard. Palm Beach Lakes Boulevard is currently a 4 to 8 lane paved roadway running east-west from Okeechobee Boulevard to Flagler Drive. More specifically, the limits of construction for this project extend along Congress Avenue from approximately 500' south of, and 450' north of, Palm Beach Lake Boulevard, and along Palm Beach Lakes Boulevard from approximately 1,100' west and east of Congress Avenue. The limits of this project are within a commercial area. This project will improve Congress Avenue by adding a northbound right turn lane at Palm Beach Lakes Boulevard, and will improve Palm Beach Lakes Boulevard by adding an additional westbound through lane approaching Congress Avenue. This project includes the construction of additional pavement, curb and gutter, sidewalks and additional drainage, and will improve the overall safety for motorists, bicyclists and pedestrians.

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 the intersection of Congress Avenue and Palm Beach Lakes Boulevard was 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 were made to minimize the areas to be acquired through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel fits into the planned funding for this project, and the acquisition of this parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Congress Avenue and Palm Beach Lakes Boulevard are a heavily travelled roadways passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) for many years has defined these roadways as routes required 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 and methodologies were considered for addressing the traffic demands at the project intersection but this alternative was found to be the most economically feasible.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2040 Long Range Transportation System Plan. The 2040 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

Congress Avenue and Palm Beach Lakes Boulevard exist along an established roadway corridor. The limits of the project are bordered by existing commercial 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.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Congress Avenue and Palm Beach Lakes Boulevard within the previously stated project limits:

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT – PARCEL 303B

This Easement (expiring no later than three years from the date of deposit) is for access and all related construction activities reasonably required for driveway construction, sloping, grading and to harmonize the road construction with the adjacent property.

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