Agenda Item #: 3-C-7

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

TOBITOTI TI BIVI DOMINIMA						
Department: En Submitted By: En		September 10, 2019 Engineering and Public Works Engineering and Public Works Roadway Production Division	[X]	Consent Workshop	[]	Regular Public Hearing
		I. EXECUTIV	E BR	IEF		
Motic	on and Titl	e: Staff recommends motion to:				
A)	101, reco	esolution to authorize the conveyar rded in Official Record Book 3024 on improvements at Boynton Beac la Department of Transportation (F	l0, pag h Boul	ge 1865, necessar levard and Acmo	ry for	the construction of
B)	approve a	Palm Beach County (County) deed	1 to co	nvey to FDOT P	'arcel	101 for the project.
Boule request that the converse superstransf Backge construction of the construction o	vard at Act sted that Pa e construct y Parcel 10 majority vers of fee s ground and uction is sci uction with a Statutes.	oject. The County is extending the me Dairy Road. Boynton Beach Freel 101 be conveyed free and cleation for the right turn lane is ready to FDOT. In accordance with lote (5 votes) is required by the Bosimple real property that required Justification: The project is findeduled for 2019. This parcel was a part of the permit process, FD out reserving phosphate, minerals, The Engineering Department records.	oulever of all ocome of alm I ard of a BCC under our character of the control of	rard/SR 804 is a l encumbrances mence, the perm Beach County of County Comn Capproval. District by the Five Yased by the Cour quires the transfand petroleum ri	State and right requirements or dina strict: Tear Rear Rear of I ights not a strict or I ights not a	Road. FDOT has ghts of entry. Now uires the County to ance (2009-052), a ners (BCC) for all 5 (YBH) Road Program and om the Lake Worth Parcel 101 prior to per Section 270, 11
1. Loca 2. Rese		n Exhibit "A" vith Exhibit "A"				
	1004	/				
Recon	mended b		- 1			8/2/2019
Appro	ved by:	County		neer nty Administrat	or	Date Signature Date
					~1	Duit

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	\$ -0-		-0-	0-	<u>-0-</u>
Operating Costs	-0-		-0-	-0-	-0-
External Revenues	0-	0-	0-	0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ **	0-	-0-	0-	0-
# ADDITIONAL FTE					-
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No Does this item include the use of federal funds? Yes No X

Budget Acct No.: Fund___ Dept.__ Unit__ Object
Program

Recommended Sources of Funds/Summary of Fiscal Impact:

**This item has no fiscal impact.

III. REVIEW COMMENTS

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

TUNC 6/7/19
OFMB

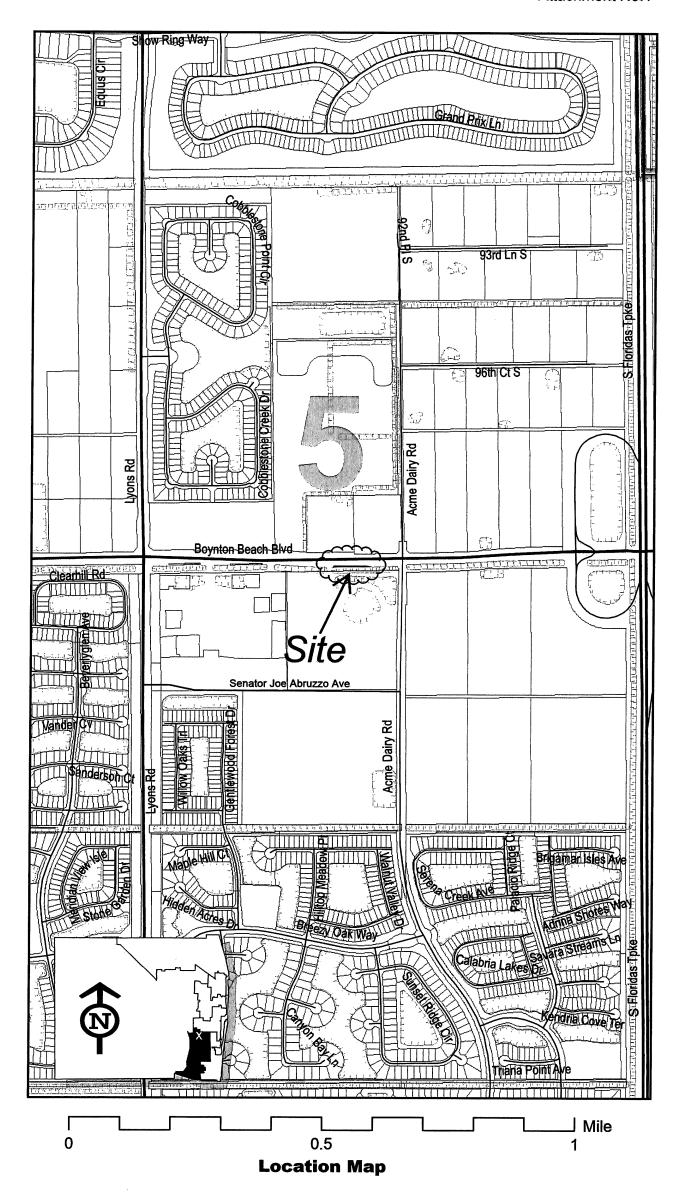
B. Approved as to Form and Legal Sufficiency:

. Market 8/13/2019
Assistant County Attorney

C. Other Department Review:

Department Director

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



RESOLUTION NO. R-2019-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE BY COUNTY DEED OF ONE FEE SIMPLE PARCEL, ALONG BOYNTON BEACH BOULEVARD/SR 804 AT ACME DAIRY ROAD TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, WITHOUT CHARGE, WITHOUT MINERAL AND PETROLEUM RIGHTS RESERVATIONS, AND WITHOUT RIGHTS OF ENTRY AND EXPLORATION, PURSUANT TO CHAPTER 270.11 FLORIDA STATUTES.

WHEREAS, Palm Beach County (County) has planned a project to extend the eastbound right turn lane on Boynton Beach Boulevard at Acme Dairy Road (Project). Boynton Beach Boulevard is State Road 804 and maintained by Florida Department of Transportation (FDOT); and

WHEREAS, the County acquired the fee simple parcel located along the south side of Boynton Beach Boulevard/SR 804 from Lake Worth Drainage District; and

WHEREAS, Boynton Beach Boulevard is an FDOT maintained right-of-way; and

WHEREAS, the County was required to obtain an FDOT permit in order to construct the Project; and

WHEREAS, the FDOT permit requires the County to donate the fee simple parcel as described in Exhibit "A", consisting of +/- 4,982 square feet (Property); and

WHEREAS, pursuant to Chapter 270.11 Florida Statutes, FDOT has requested that the County convey the Property without reservation and without the rights of entry and exploration relating to phosphate, minerals, metals and petroleum rights because FDOT requires the Property to be free and clear of encumbrances which could impede the use of the Property for roadway purposes; and

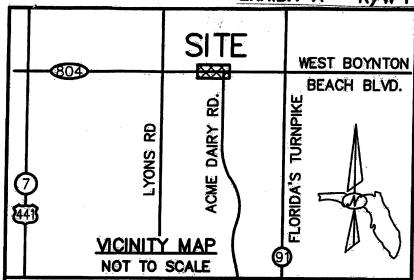
WHEREAS, the Board of County Commissioners (BCC) has agreed to convey the Property without reserving phosphate, minerals, metals and petroleum rights and releasing any and all rights of entry and exploration relating to such rights; and

WHEREAS, the BCC has determined execution of the County Deed is in the best interest of the citizens and residents of the County.

NOW THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the Mayor is hereby authorized to execute the County Deed.

- 1. The recitations set forth herein above are true, accurate and correct and are incorporated herein.
- 2. This Resolution will take effect upon its adoption.

The foregoing resolution was offered	by Commissioner	who moved its
adoption. The motion was seconded by C	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
2019.		
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	PALM BEACH COUNT	NTY, FLORIDA Y COMMISSIONERS
AND ELGAL SUFFICIENCY	BOARD OF COUNT	1 COMMISSIONERS
	SHARON R. BOCK	
	CLERK AND COMP	TROLLER
By:Yelizaveta B. Herman	By:	
Yelizaveta B. Herman Assistant County Attorney	Deputy Clerk	



LEGEND:

P.O.C. POINT OF COMMENCEMENT

P.O.B. - POINT OF BEGINNING

P.B. - PLAT BOOK

ORB - OFFICIAL RECORD BOOK

PG. - PAGE

Q.C. - QUIT CLAIM

NAD — NORTH AMERICAN DATUM

R/W - RIGHT-OF-WAY

- CENTERLINE

- Baseline

LWDD - LAKE WORTH DRAINAGE DISTRICT FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION

RT. - RIGHT OF BASELINE

SEC. - SECTION

NOTES:

- 1) THIS DESCRIPTION IS BASED ON THE PLAT OF BOYNTON-LYONS, RECORDED IN PLAT BOOK 110, PAGE 5; THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO.3, RECORDED IN PLAT BOOK 2, PAGE 45; A QUIT CLAIM DEED RECORDED IN OFFICIAL RECORD BOOK 30240, PAGE 1865, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 2) BEARINGS ARE BASED ON N89'02'44"E (GRID) ALONG THE NORTH BOUNDARY OF THE PLAT OF BOYNTON-LYONS, PLAT BOOK 110, PAGE 5, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 3) TITLE INFORMATION SHOWN HEREON WAS FURNISHED PER A TITLE SEARCH REPORT; PREPARED BY AMERICAN GOVERNMENT SERVICES CORPORATION; AGS SERACH NUMBER: 29122; OWNER NAME: PALM BEACH COUNTY; CLIENT FILE NO.: 2017099.000; PROJECT NO.: 0402566031; PBC PROJECT NO.: 2014508A; PROJECT: ACME DAIRY RD AND BOYNTON BEACH BLVD; CERTIFIED TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, DISTRICT FOUR; DATED JANUARY 3, 2019.
- 4) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 5) ALL BEARINGS AND DISTANCES ARE CALCULATED, UNLESS NOTED OTHERWISE.
- 6) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR BOYNTON BEACH BOULEVARD AND ACME DAIRY ROAD. PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC., PALM BEACH COUNTY PROJECT No.2014508S.
- 7) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM NAD 83, 1990 ADJUSTMENT
 - C. ZONE FLORIDA EAST
 - D. LINEAR UNIT US SURVEY FOOT
 - E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE
- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR 1.000023
- I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE

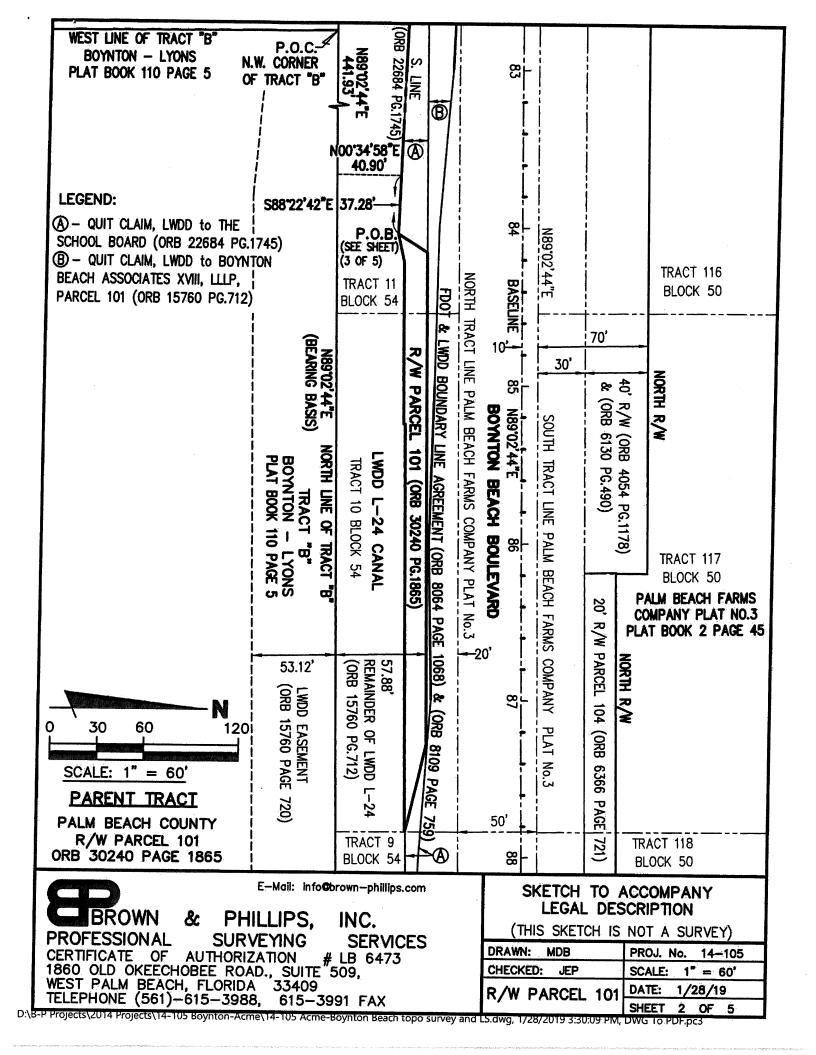
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 3400 WEST COMMERCIAL BOULEVARD FT. LAUDERDALE, FL 33309 (954) 777-4551

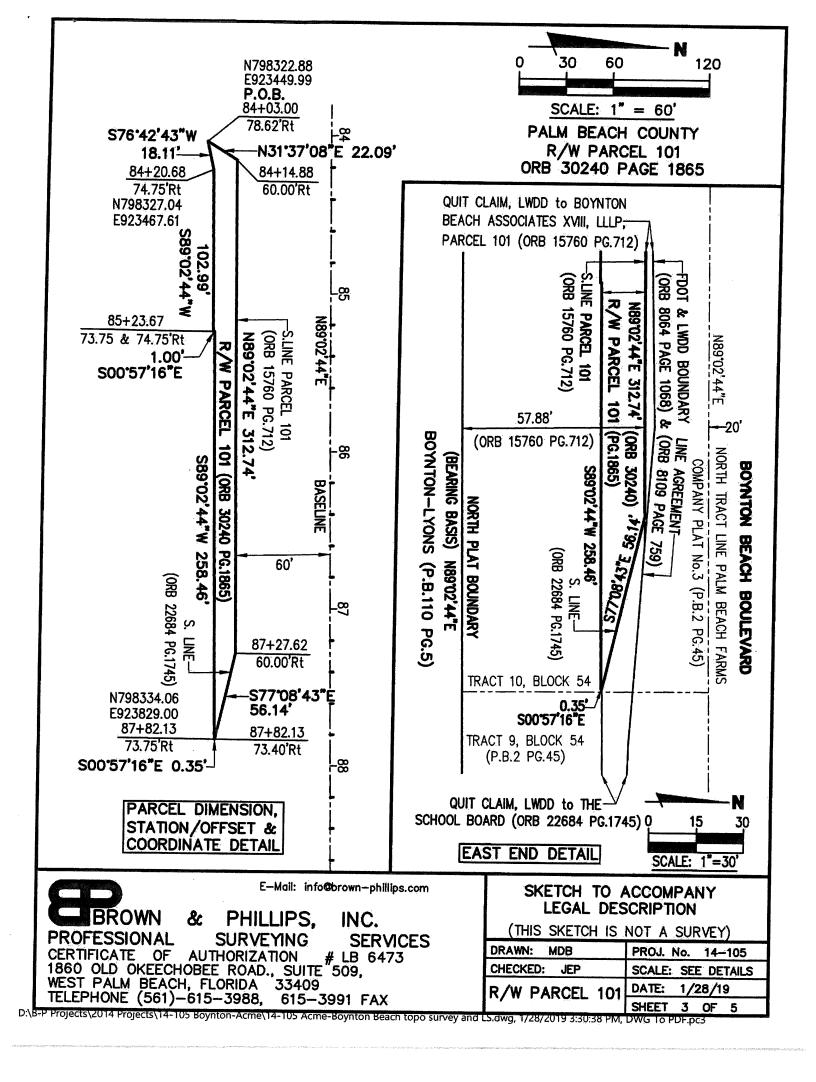
E-Mail: info@brown-phillips.com

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

DESCRIPTION NOTES

: Na: .	
DRAWN: MDB	PROJ. No. 14-105
	SCALE: 1" = 60"
R/W PARCEL 101	DATE: 1/28/19
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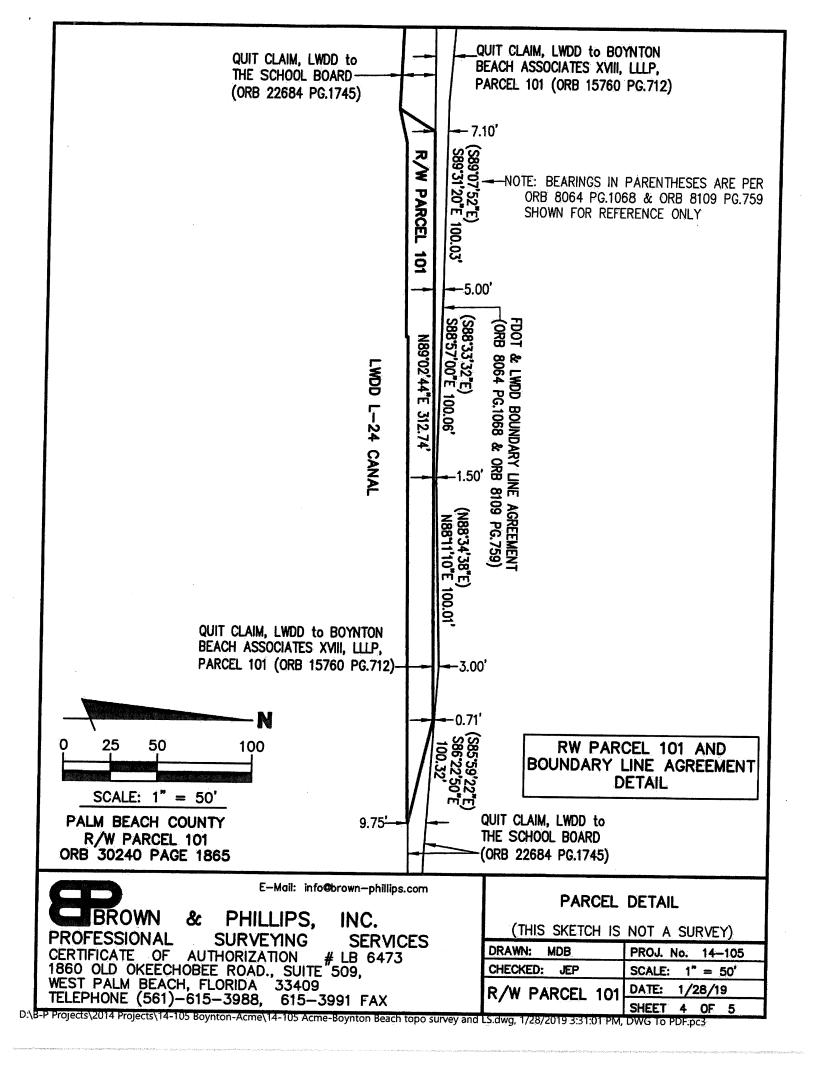


EXHIBIT A - R/W PARCEL 101

PALM BEACH COUNTY R/W PARCEL 101, RECORDED IN OFFICIAL RECORD BOOK 30240, PAGE 1865, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHWEST QUARTER (N.W.1/4) OF SECTION 29, TOWNSHIP 45 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACTS 9 THROUGH 11, BLOCK 54, PALM BEACH FARMS COMPANY PLAT NO.3, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG SAID SOUTH BOUNDARY OF PARCEL 101, N89°02'44"E FOR 312.74 FEET TO THE SOUTH BOUNDARY OF SAID QUIT CLAIM DEED RECORDED IN OFFICIAL RECORD BOOK 22684, PAGE 1745;

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THENCE S89"02'44"W FOR 258.46 FEET;

THENCE S00'57'16"E FOR 1.00 FEET;

THENCE S89'02'44"W FOR 102.99 FEET;

THENCE S76'42'43"W FOR 18.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,892 SQUARE FEET, MORE OR LESS.

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECTION AND IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF, FLORIDA No. 1826
DATE:

NOT VALID UNLESS SIGNED AND SEALED

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
BOYNTON BEACH BLVD

DRAWN: MDB	PROJ. No. 14-105
CHECKED: JEP	SCALE: NONE
R/W PARCEL 101	DATE: 1/28/19
NY WIT AROLL TO	SHEET 5 OF 5

Return to:
Right-of-Way Acquisition Section
Palm Beach County, Engineering & Public Works Department
Post Office Box 21229
West Palm Beach, Florida 33416-1229
Attn.: Kaye Weichel, Right-of-Way Specialist
Acct. No.: 1010

This Instrument Prepared by: Yelizaveta B. Herman, Assistant County Attorney Palm Beach County Attorney's Office Post Office Box 21229 West Palm Beach, Florida 33416-1229

Purchase Price: \$ 0

SPACE ABOVE THIS LINE FOR PROCESSING DATA

Parcel No.: 4413231 Parcel No.: 148.1 F.P. No.: N/A Section: N/A Managing District: 4

SR No.: 804 (Boynton Beach Blvd)

County: Palm Beach

PROJECT NO.: 2014508A

ROAD NAME: BOYNTON BEACH BLVD &
ACME DAIRY RD

PARCELNOs.: 1

COUNTY DEED

THIS DEED is made this ____day of _______, 20_____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose post office address is Post Office Box 21229, West Palm Beach, Florida 33416-1229, ("Grantor") to the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, whose post office address is 3400 West Commercial Blvd., Fort Lauderdale, FL 33309, ("Grantee").

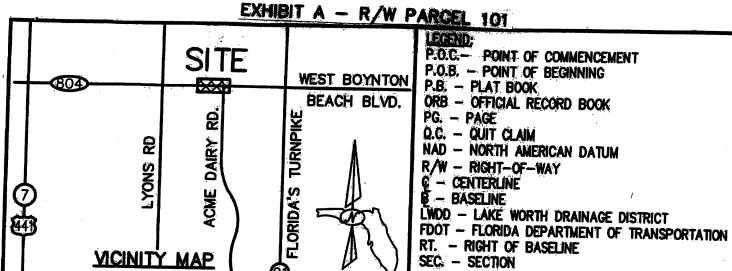
WITNESSETH: That the Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida, as follows:

Fee simple parcel more particularly described in **Exhibit "A"** attached hereto and made a part hereof.

IN WITNESS WHEREOF County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice Mayor of said Board, the day and year aforesaid.

ATTEST:	County:
SHARON R. BOCK CLERK AND COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida By Its Board of County Commissioners
By: Deputy Clerk	By:Mack Bernard, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	(Official Seal)
By: Yelizaveta B. Herman Assistant County Attorney	

 $\hbox{N:}\\ \hbox{${\tt R}$_O_W\-KAYE\-BOYNTONBEACHBLVD\&ACMEDAIRY\-COUNTY DEED}$



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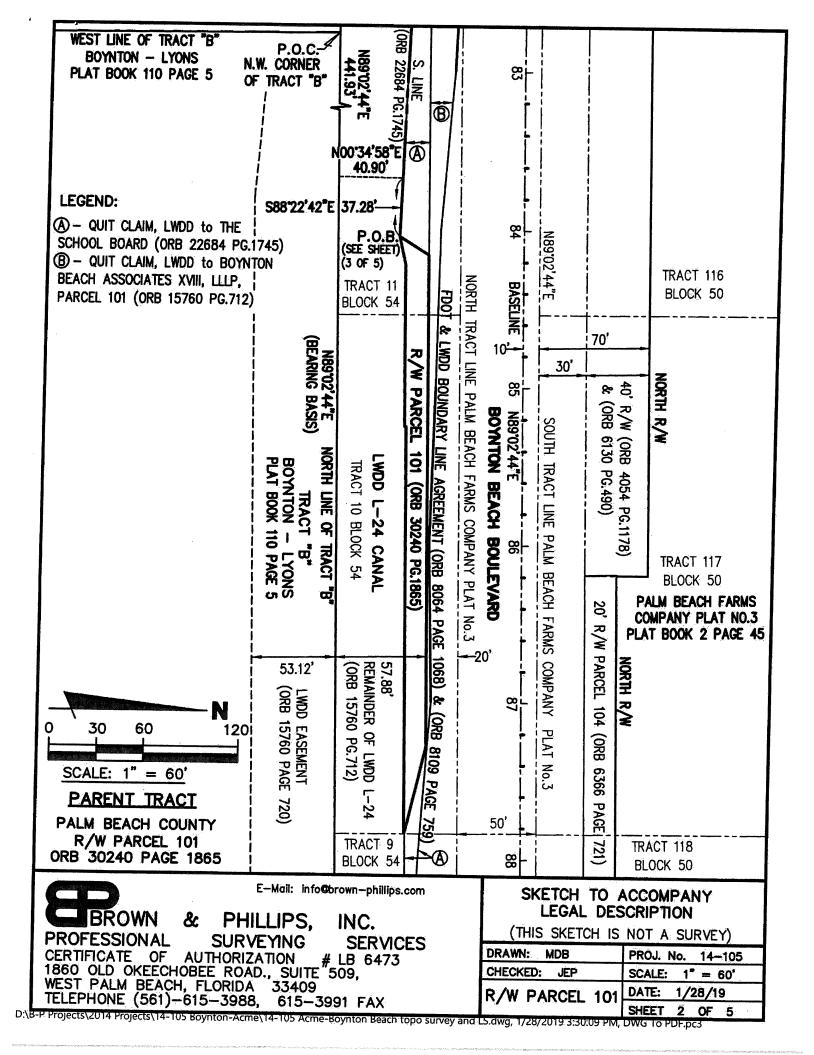
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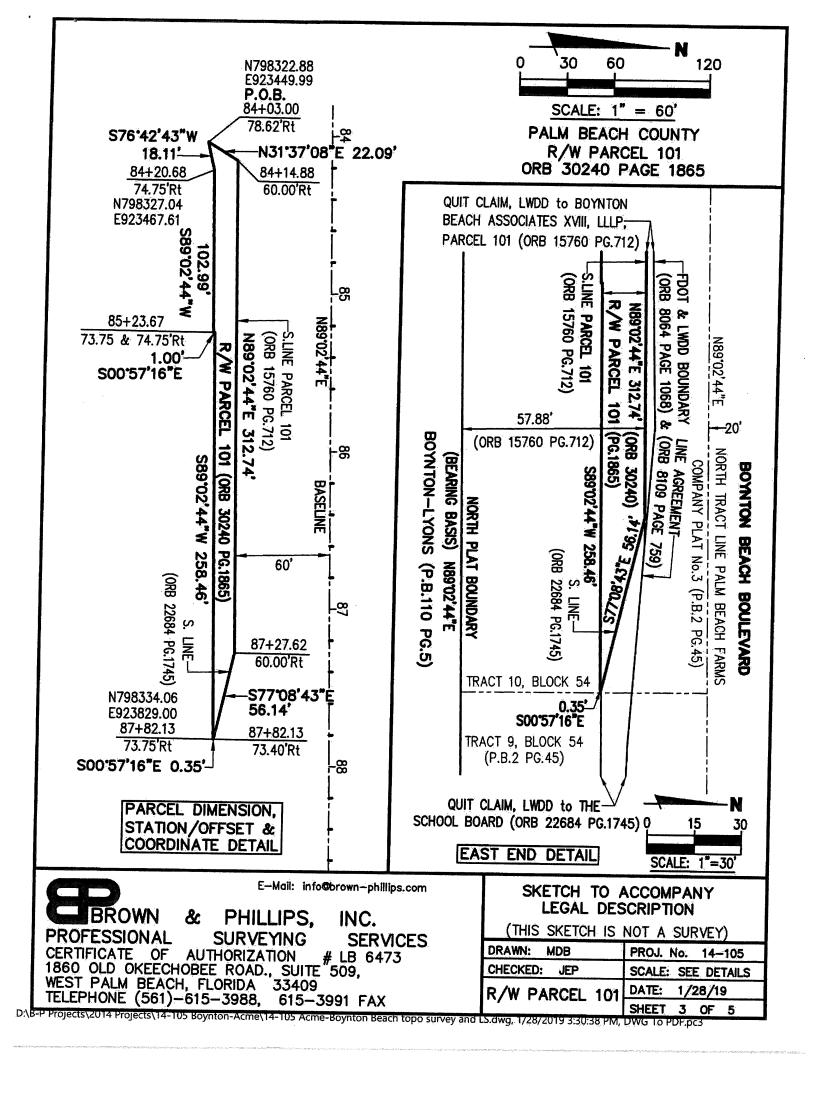
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DESCRIPTION NOTES

DRAWN: MDB PROJ. No. 14-105 CHECKED: SCALE: 1" = 60" R/W PARCEL 101 DATE: 1/28/19 SHEET 1 OF





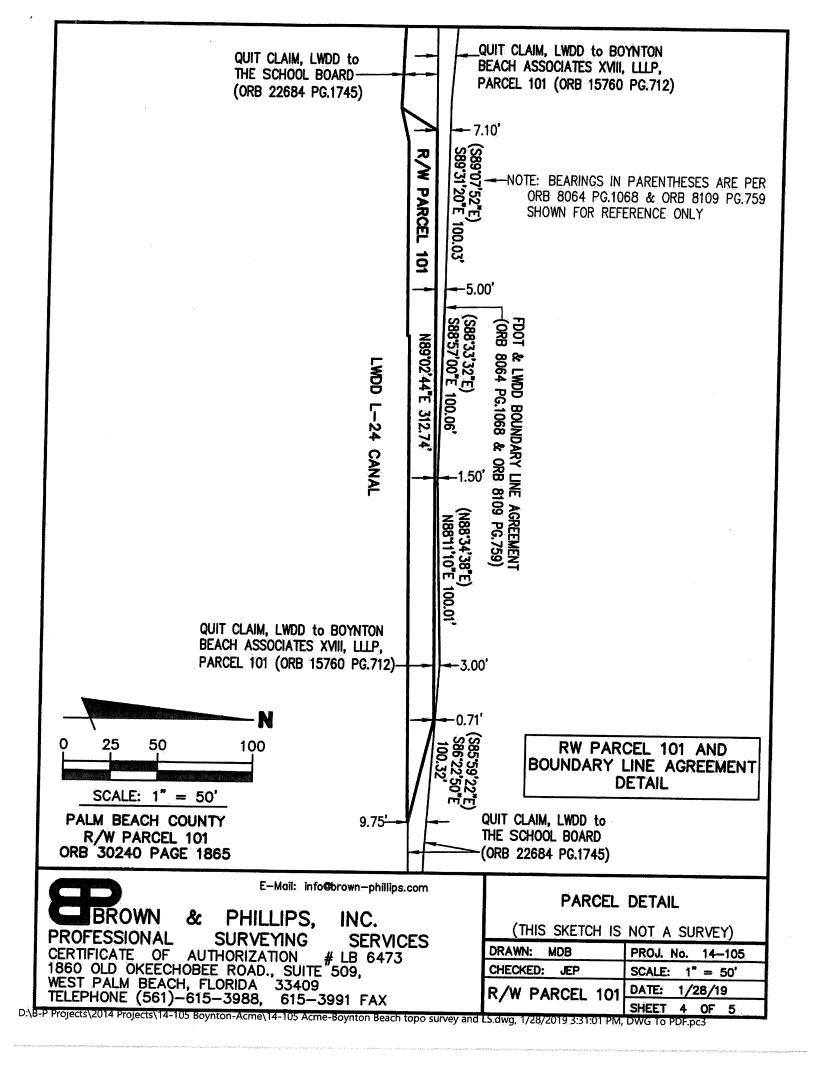


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JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: 1707

NOT VALID UNLESS SIGNED AND SEALED

E-Mail: info@brown-phillips.com

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 1/28/19

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