

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 10, 2020

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:

- A) adopt a Resolution to authorize the conveyance of one fee simple parcel designated as Parcel 101, recorded in Official Record Book 31017, page 726, necessary for the construction of intersection improvements at Blue Heron Boulevard and Australian Avenue (Project) to the Florida Department of Transportation (FDOT); and
- B) approve a Palm Beach County (County) deed to convey to FDOT Parcel 101 for the Project.

**SUMMARY:** Adoption of this Resolution will authorize a County deed to convey Parcel 101 to FDOT for the Project. The County is building an eastbound right turn lane on Blue Heron Boulevard at Australian Avenue. Blue Heron Boulevard/SR 708 is an FDOT road. FDOT has requested that Parcel 101 be conveyed free and clear of all encumbrances and rights of entry. Now that the construction for the right turn lane is ready to commence, the permit from FDOT requires the County to convey Parcel 101 to FDOT. **In accordance with Palm Beach County ordinance (2009-052), a supermajority vote (5 votes) is required by the Board of County Commissioners (BCC) for all transfers of fee simple real property that requires BCC approval. District 7 (YBH)**

**Background and Justification:** The Project is funded by the Five Year Road Program and construction is scheduled for 2020. This parcel was purchased by the County through eminent domain. As part of the permit process, FDOT requires the transfer of Parcel 101 prior to construction without reserving phosphate, minerals, metal and petroleum rights per Section 270.11, Florida Statutes. The Engineering Department recommends the BCC approval.

**Attachments:**

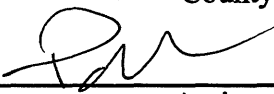
- 1. Location Map
- 2. Resolution with Exhibit "A"
- 3. County Deed with Exhibit "A" (2)

  
Recommended by:

  
County Engineer

1/29/2020  
Date

Approved by:



Assistant County Administrator

2/5/20  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-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 Account No:**

**Recommended Sources of Funds/Summary of Fiscal Impact:**

\*\*This item has no fiscal impact. These are construction agreements with FDOT for work proposed within FDOT's right-of-way.

**C. Departmental Fiscal Review:** *Alicia Valentin*

**III. REVIEW COMMENTS**

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

*Rodriguez* 1/29/2020  
 OFMB 1/29

*A. S. Jacob* 1/30/2020  
 Contract Dev. and Control 1/29/2020 Tu

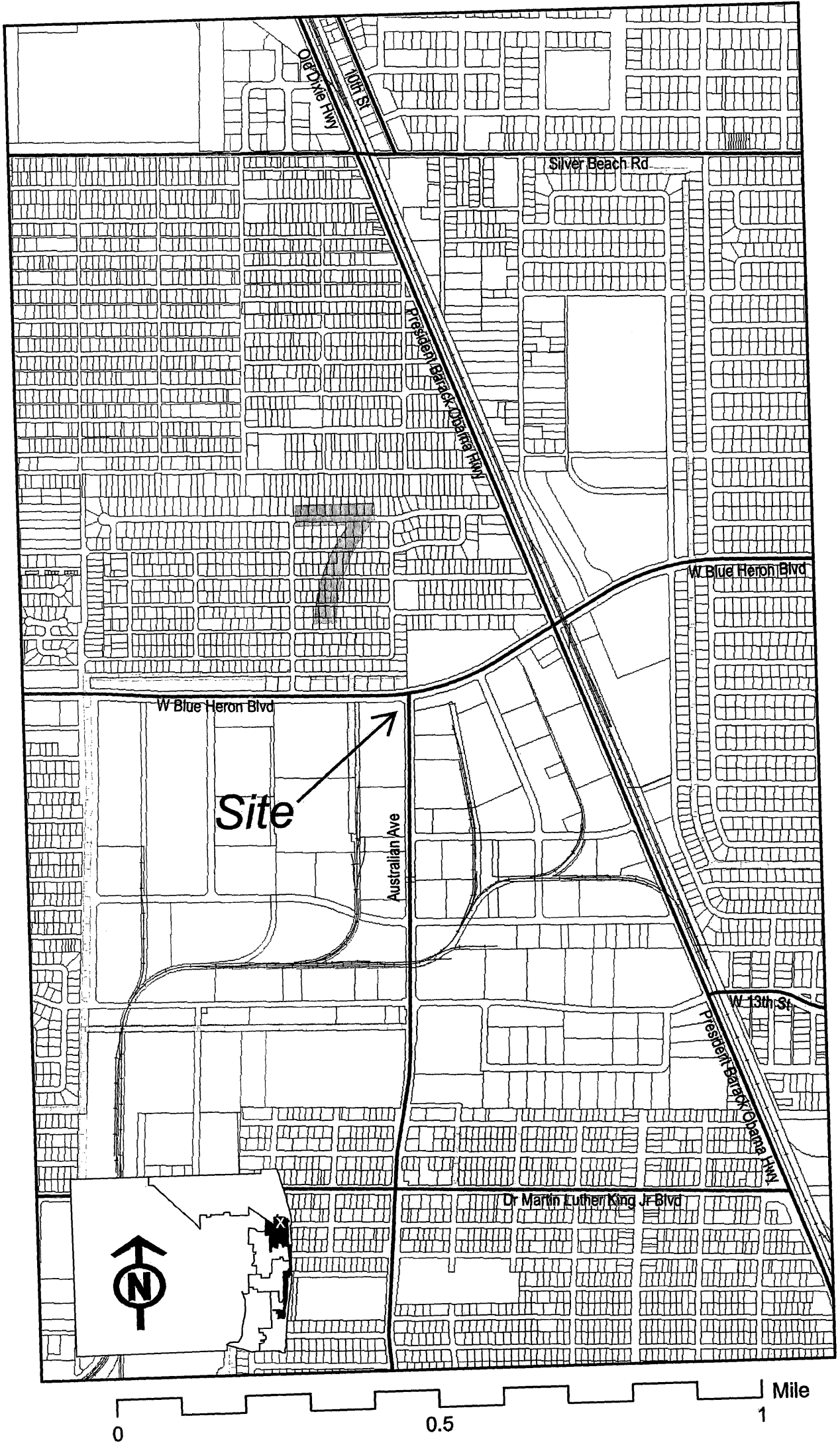
**B. Approved as to Form and Legal Sufficiency:**

*(Signature)* For Liz Herman 2/3/2020  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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



Location Map

**RESOLUTION NO. R-2020-**

**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 BLUE HERON BOULEVARD/SR 708 AT AUSTRALIAN AVENUE TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, WITHOUT CHARGE, WITHOUT MINERAL AND PETROLEUM RIGHTS RESERVATIONS, AND WITHOUT RIGHTS OF ENTRY AND EXPLORATION, PURSUANT TO SECTION 270.11, FLORIDA STATUTES.**

**WHEREAS**, Palm Beach County (County) has planned a project to build a westbound right turn lane on Blue Heron Boulevard at Australian Avenue (Project). Blue Heron Boulevard is State Road 708 (SR 708) and maintained by Florida Department of Transportation (FDOT); and

**WHEREAS**, the County acquired the fee simple parcel located along the south side of Blue Heron Boulevard/SR 708 through Eminent Domain; 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 +/- 5,269 square feet (Property); and

**WHEREAS**, pursuant to Section 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 Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Commissioner Dave Kerner, Mayor	_____
Commissioner Robert S. Weinroth, Vice Mayor	_____
Commissioner Hal R. Valeche	_____
Commissioner Gregg K. Weiss	_____
Commissioner Mary Lou Berger	_____
Commissioner Melissa McKinlay	_____
Commissioner Mack Bernard	_____

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK  
CLERK AND COMPTROLLER

By: \_\_\_\_\_  
Yelizaveta B. Herman  
Assistant County Attorney

By: \_\_\_\_\_  
Deputy Clerk

EXHIBIT A - R/W PARCEL 101

A PARCEL OF LAND IN SECTION 29, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 20, PLAT NO.2-A LEWIS TERMINALS, RECORDED IN PLAT BOOK 31, PAGE 155 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 20;  
THENCE ALONG THE BOUNDARY OF SAID LOT 20 FOR THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE S88°27'26"E FOR 118.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 1960.08 FEET;
- 2) THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°22'32" FOR 218.11 FEET;
- 3) THENCE S46°46'34"E FOR 37.19 FEET;
- 4) THENCE S01°16'51"W FOR 30.85 FEET;


THENCE DEPARTING SAID BOUNDARY, N47°03'04"W FOR 61.70 FEET TO A CURVE CONCENTRIC WITH THE LAST-DESCRIBED CURVE, AND HAVING A RADIUS OF 1972.83 FEET;  
THENCE WESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 5°47'53" FOR 199.64 FEET TO A POINT OF TANGENCY;  
THENCE N88°27'26"W FOR 97.94 FEET;  
THENCE N74°54'49"W FOR 21.53 FEET TO THE WEST BOUNDARY OF SAID LOT 20;  
THENCE ALONG SAID WEST BOUNDARY, N01°32'34"E FOR 7.71 FEET TO THE POINT OF BEGINNING.

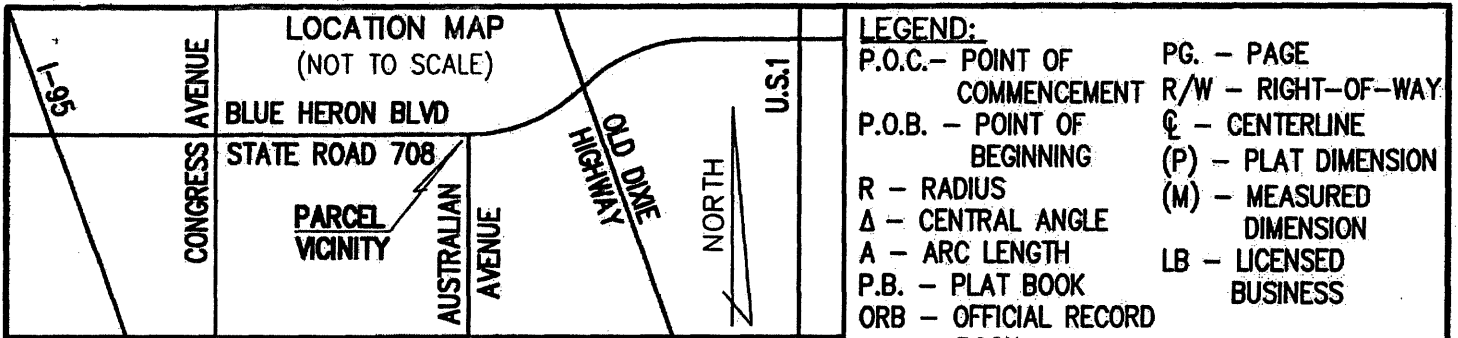
CONTAINING 5,269 SQUARE FEET, MORE OR LESS.

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. 4826  
DATE: 7/21/16

NOT VALID UNLESS SIGNED AND SEALED.

E-Mail: info@brown-phillips.com		R/W PARCEL 101	
 <b>BROWN &amp; PHILLIPS, INC.</b> 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. 13-009	DRAWN: MB	
	LEGAL DESCRIPTION	SCALE: NONE	
	BLUE HERON BLVD.	DATE: 7/21/16	
		SHEET 1 OF 4	



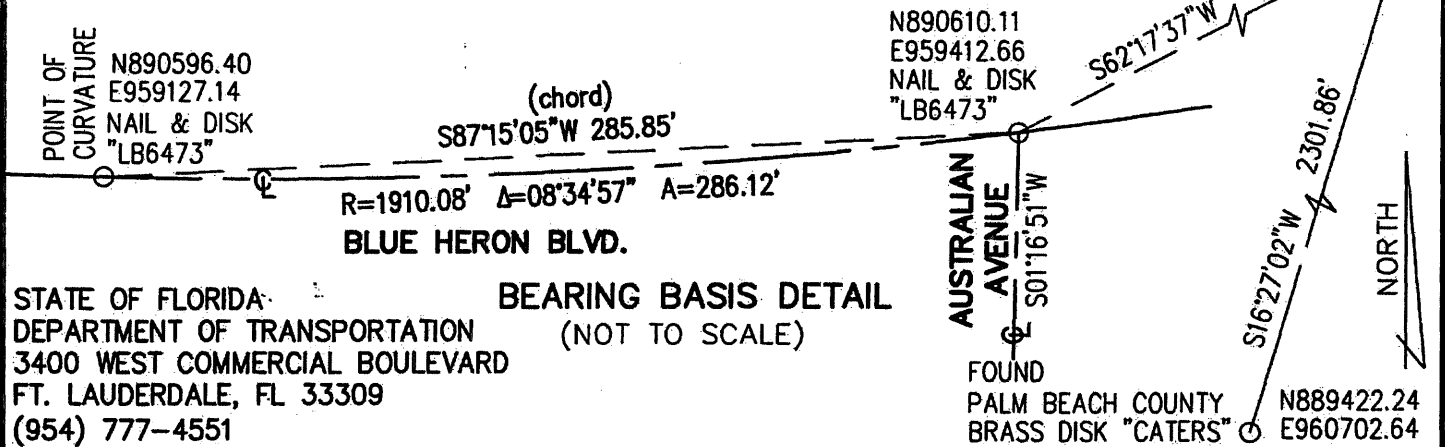
**LEGEND:**  
 P.O.C. - POINT OF COMMENCEMENT  
 P.O.B. - POINT OF BEGINNING  
 R - RADIUS  
 $\Delta$  - CENTRAL ANGLE  
 A - ARC LENGTH  
 P.B. - PLAT BOOK  
 ORB - OFFICIAL RECORD BOOK  
 PG. - PAGE  
 R/W - RIGHT-OF-WAY  
 C - CENTERLINE  
 (P) - PLAT DIMENSION  
 (M) - MEASURED DIMENSION  
 LB - LICENSED BUSINESS

**NOTES:**

- 1) BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO STATE PLANE COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983/90 ADJUSTMENT. BEARINGS ARE BASED ON S16°27'02"W, ALONG A LINE BETWEEN PALM BEACH COUNTY CONTROL MONUMENTS "RIVIERA COMPLEX" AND "CATERS", BRASS DISKS IN CONCRETE.
- 2) STATE PLANE COORDINATES:
 

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD 83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.000046
D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: NONE
- 3) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR BLUE HERON BLVD., PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC., PALM BEACH COUNTY PROJECT No.20013102, DATED 7/1/2014.
- 4) TITLE INFORMATION SHOWN HEREON WAS FURNISHED PER A TITLE SEARCH REPORT PREPARED BY AMERICAN GOVERNMENT SERVICES CORPORATION, SEARCH NO.27032-1, PREPARED FOR BROWN & PHILLIPS, INC., AND CERTIFIED TO DEPARTMENT OF TRANSPORTATION OF THE STATE OF FLORIDA, DISTRICT FOUR, DATED 10/11/15.
- 5) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 6) ALL BEARINGS AND DISTANCES ARE CALCULATED, UNLESS NOTED OTHERWISE.
- 7) ALL LOT, RIGHT-OF-WAY, AND EASEMENT INFORMATION SHOWN IS PER PLAT NO.2-A LEWIS TERMINALS PLAT BOOK 31 PAGE 155, AND PLAT NO.2 LEWIS TERMINALS PLAT BOOK 27 PAGE 42.
- 8) PARCEL 101:  
 OWNER: RIVIERA DOLPHIN 1, LLC  
 PARENT TRACT AREA = 255,638 SQUARE FEET (5.87 ACRES)  
 PARCEL 101 TAKE AREA = 5,269 SQUARE FEET

N891629.87  
 FOUND PALM BEACH COUNTY BRASS DISK "RIVIERA COMPLEX"



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

**BEARING BASIS DETAIL**  
 (NOT TO SCALE)

**BP 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

**R/W PARCEL 101  
 DESCRIPTION NOTES**

PROJ. No. 13-009	DRAWN: MB
<b>BLUE HERON BLVD.</b>	SCALE: NONE
	DATE: 7/21/16
	SHEET 2 OF 4

CANAL RIGHT-OF-WAY

32' RAILROAD RIGHT-OF-WAY  
PLAT BOOK 31 PAGE 155

N890541.91  
E959006.76  
45+81.24  
57.71'Rt

0 30 60 120



SCALE: 1" = 60'



WEST LOT BOUNDARY

7.71'  
N01°32'34"E

46+02.17  
62.75'Rt

21.53'  
N74°54'49"W  
97.94'  
N88°27'26"W

45+81.24  
50'Rt

46+00  
P.O.B.-N.W. CORNER  
OF LOT 20

S88°27'26"E  
118.87'

PC 47+00.11

PLAT NO.2-A LEWIS TERMINALS  
PLAT BOOK 31 PAGE 155

LOT 19

LOT 20

R=1972.83'  
A=05°47'53"  
A=199.64'

50'  
SOUTH R/W &  
LOT BOUNDARY  
50'  
BLUE HERON BOULEVARD  
PLAT NO.2 LEWIS TERMINALS  
P.B. 27 PG.42

Plot No.2 of the Subdivision of Part  
of South 115 ft. of North 155 ft. of  
PLAT NO.2, LEWIS TERMINALS  
PLAT BOOK 27 PAGE 176

15' RIVIERA BEACH WATER/WASTEWATER  
EASEMENT PARCEL 5 (ORB 3371 PG.1246)

N890496.36  
E959370.11  
49+33.07

48+93.40  
62.75'Rt

49+12.65  
50'Rt

6'X10' FPL ANCHOR EASEMENT  
(ORB 3181 PG.1237)

108.46'Rt

101

48+93.40  
62.75'Rt

49+12.65  
50'Rt

FDOT R/W MAP SECTION  
93012-2501 (9/09/2008)

S01°16'51"W

30.85'

AUSTRALIAN AVENUE  
(AVENUE M)

PLAT NO.2 LEWIS TERMINALS

P.B. 27 PG.42

49+36.54  
77.82'Rt

REPLAT OF PLAT NO.1  
LEWIS TERMINALS  
P.B. 27 PAGE 39

REPLAT OF PLAT NO.1 LEWIS TERMINALS  
PLAT BOOK 27 PAGE 39

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

R/W PARCEL 101

(This sketch is not a survey)

PROJ. No. 13-009

DRAWN: MB

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION  
BLUE HERON BLVD.

SCALE: 1"=60'

DATE: 7/21/16

SHEET 3 OF 4



PLAT NO.2 LEWIS TERMINALS P.B. 27 PG.42

BLUE HERON BOULEVARD

S88°27'26"E

A=218.11'  
Δ=06°22'32"

118.87'(P)

R=1960.08'(P)

S46°46'34"E  
37.19'(P)

32'

97.23'(P)

15' RIVIERA BEACH WATER/WASTEWATER  
EASEMENT PARCEL 5 (ORB 3371 PG.1246)  
LOT 20  
364.69'(P)

82.95'(P)

100'(P)

6'X10' FPL ANCHOR EASEMENT  
(ORB 3181 PG.1237)

100'(P)

LOT 19

365.15'(P)

LOT 18

PLAT NO.2-A LEWIS TERMINALS  
PLAT BOOK 31 PAGE 155

LOT 17

RIVIERA DOLPHIN I, LLC  
ORB 17992 PAGE 47

(LOTS 14-20)

56-43-42-29-43-000-0140

LOT 16

366.52'(P)

LOT 15

366.98'(P)

LOT 14

N88°43'09"W 367.43'(P)

LOT 13

N01°32'34"E 697.23'

32' RAILROAD R/W (P.B. 31 PG. 155)

S01°16'51"W 682.95'

AUSTRALIAN AVENUE

EAST R/W

72'

80'

40'

40'

40'

☐ OF 8' EASEMENT IN ORB 376 PG.289 RECORDED IN 1959 FOR  
"THE INITIAL CONSTRUCTION THE PIPELINE AND SHALL NOT APPLY  
FOR ANY FUTURE CONSTRUCTION OR TESTING OF SUCH PIPELINE."



0 30 60 120

SCALE: 1"=100'

LOT 1  
BLOCK 0

LOT 17 BLOCK 0

LOT 16 BLOCK 0

LOT 15 BLOCK 0 REPLAT OF PLAT NO.1 LEWIS TERMINALS  
PLAT BOOK 27 PAGE 39



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

PARENT TRACT  
R/W PARCEL 101

PROJ. No. 13-009

DRAWN: MB

LEGAL DESCRIPTION  
BLUE HERON BLVD.

SCALE: 1"=100'

DATE: 7/21/16

SHEET 4 OF 4

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.: 163.1  
F.P. No.: 4413231  
Section: 93012-2501  
Managing District: 04  
S.R. No.: 708 (Blue Heron Boulevard)  
County: Palm Beach

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**PROJECT NO.: 2013102**  
**ROAD NAME: BLUE HERON BLVD &**  
**AUSTRALIAN AVENUE**  

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**PARCELNOs.: 101**

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**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:**

SHARON R. BOCK  
CLERK AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Yelizaveta B. Herman  
Assistant County Attorney

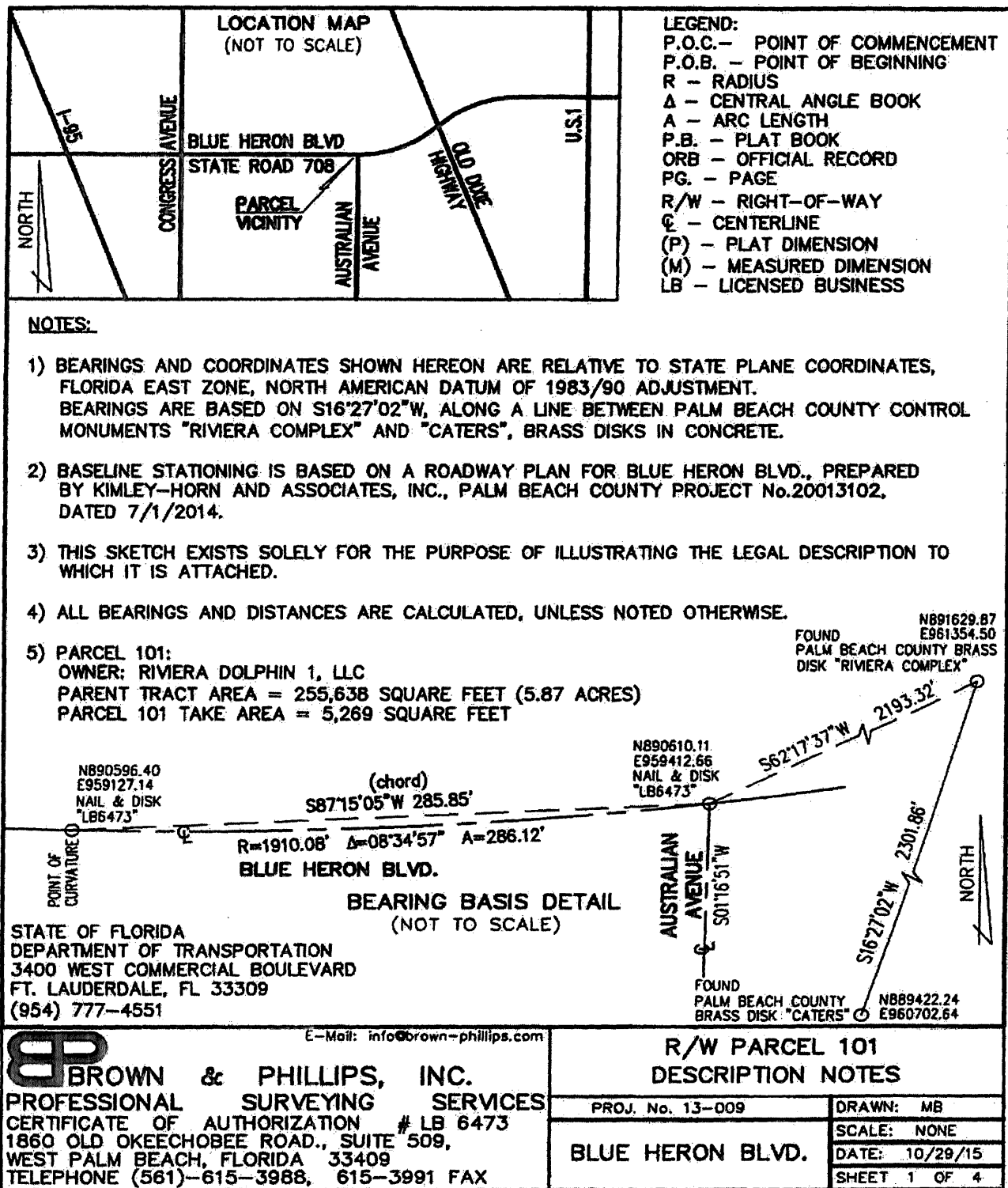
**County:**

**PALM BEACH COUNTY,**  
a political subdivision of the State of Florida  
By Its Board of County Commissioners

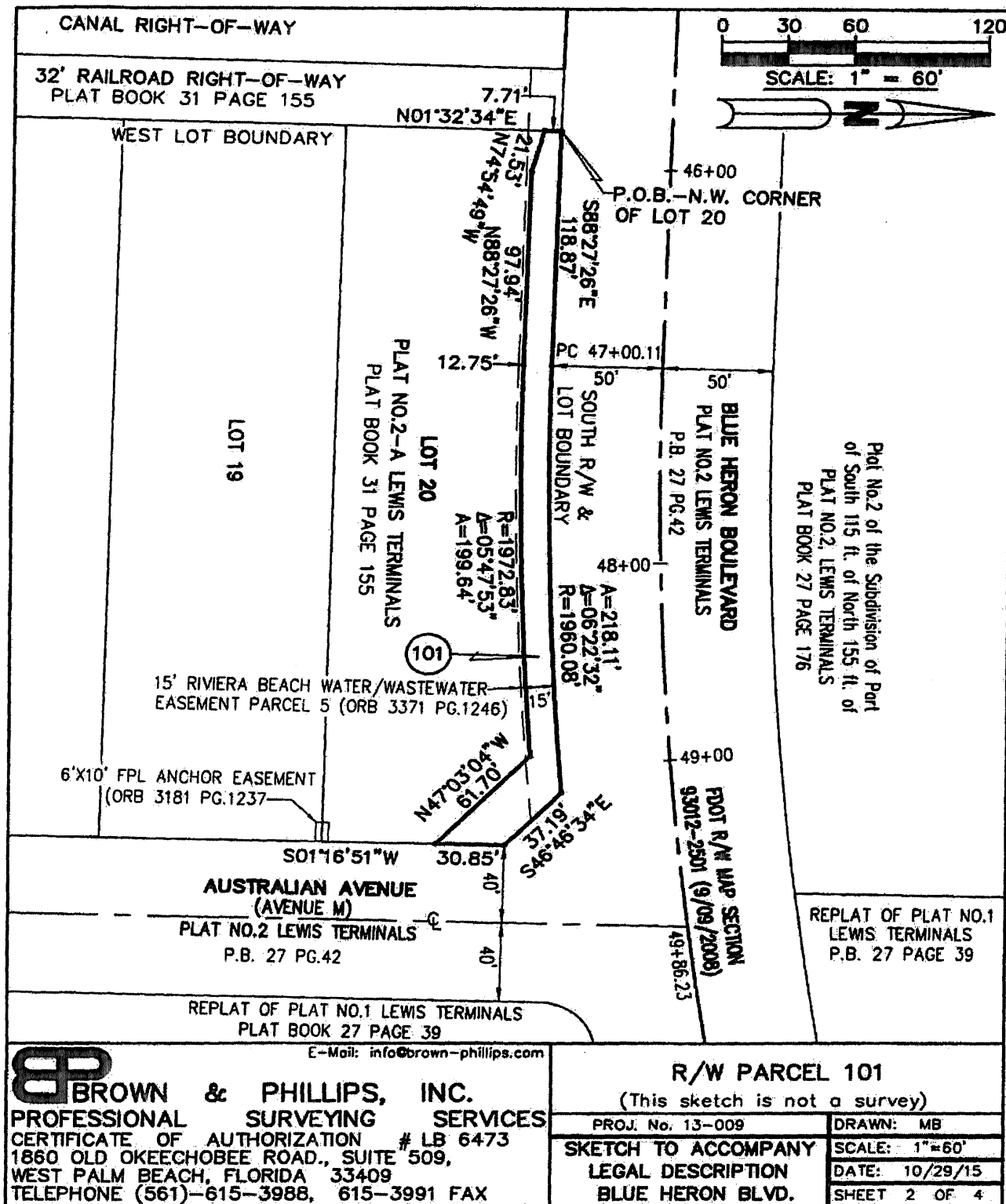
By: \_\_\_\_\_  
Dave Kerner, Mayor

**(Official Seal)**

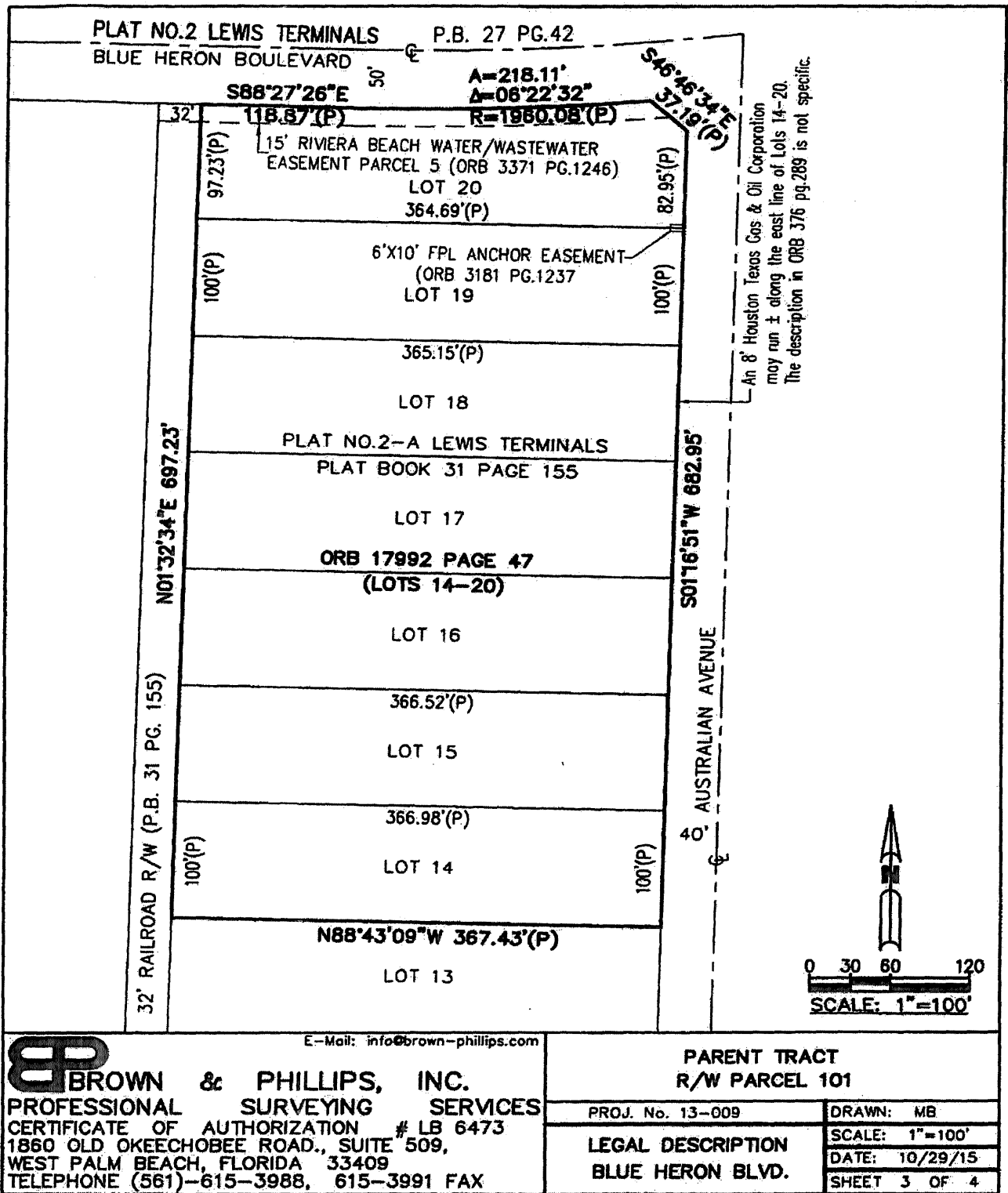
Exhibit "A"



**Exhibit "A"**



**Exhibit "A"**



**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

<b>PARENT TRACT</b>	
<b>R/W PARCEL 101</b>	
PROJ. No. 13-009	DRAWN: MB
<b>LEGAL DESCRIPTION</b> <b>BLUE HERON BLVD.</b>	SCALE: 1"=100'
	DATE: 10/29/15
	SHEET 3 OF 4

Exhibit "A"

EXHIBIT A - R/W PARCEL 101

A PARCEL OF LAND IN SECTION 29, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 20, PLAT NO.2-A LEWIS TERMINALS, RECORDED IN PLAT BOOK 31, PAGE 155 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 5,269 SQUARE FEET, MORE OR LESS.

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 JOHN E. PHILLIPS, III  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF FLORIDA NO. 4826  
 DATE: 3/31/16

NOT VALID UNLESS SIGNED AND SEALED.

 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		R/W PARCEL 101	
	PROJ. No. 13-009	DRAWN: MB		
	LEGAL DESCRIPTION	SCALE: NONE		
	BLUE HERON BLVD.	DATE: 10/29/15	SHEET 4 OF 4	

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Palm Beach County, Engineering & Public Works Department  
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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

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F.P. No.: 4413231  
Section: 93012-2501  
Managing District: 04  
S.R. No.: 708 (Blue Heron Boulevard)  
County: Palm Beach

---

**PROJECT NO.: 2013102**  
**ROAD NAME: BLUE HERON BLVD &**  
**AUSTRALIAN AVENUE**  

---

**PARCELNOs.: 101**

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**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:**

SHARON R. BOCK  
CLERK AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Yelizaveta B. Herman  
Assistant County Attorney

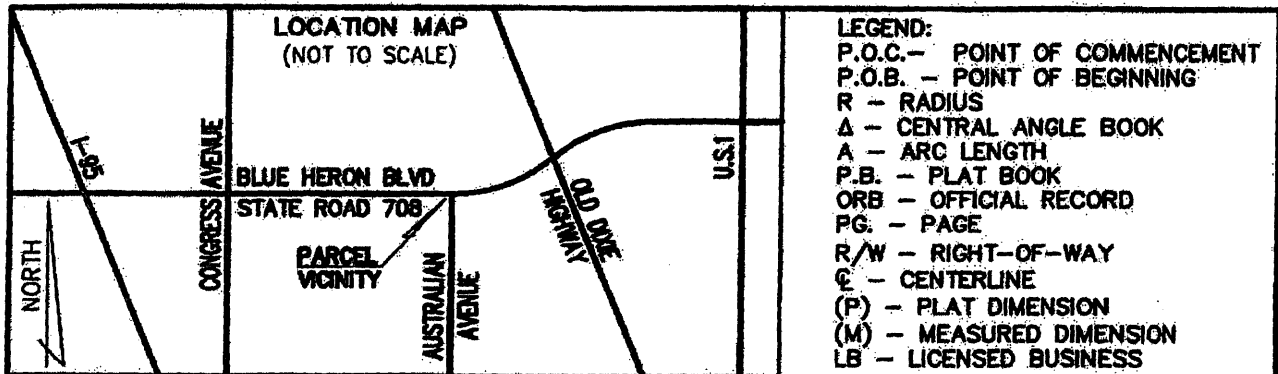
**County:**

**PALM BEACH COUNTY,**  
a political subdivision of the State of Florida  
By Its Board of County Commissioners

By: \_\_\_\_\_  
Dave Kerner, Mayor

**(Official Seal)**

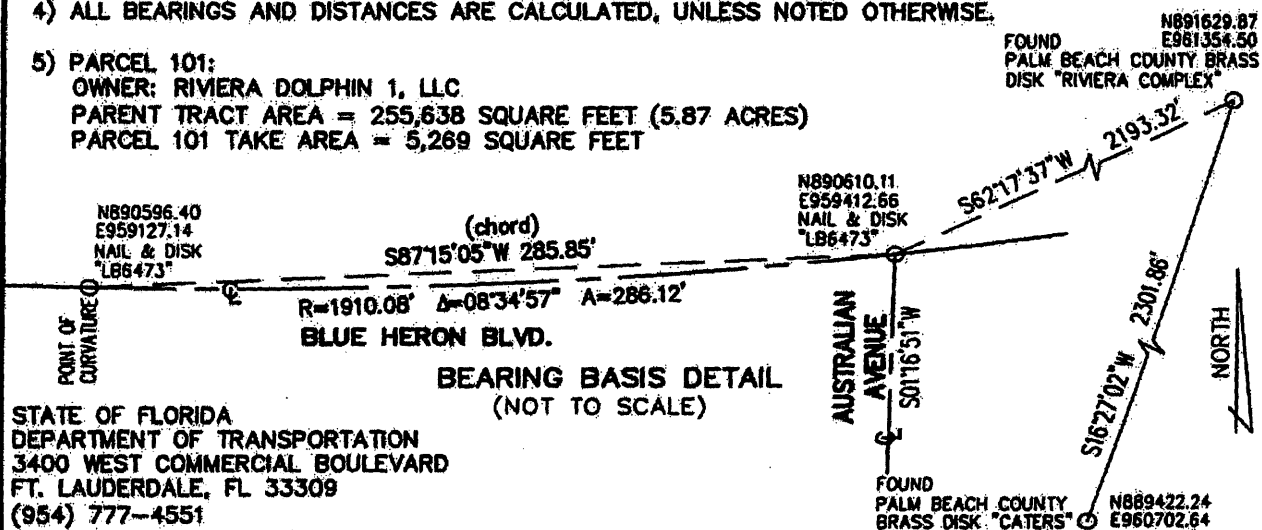
**Exhibit "A"**



- LEGEND:**  
 P.O.C. - POINT OF COMMENCEMENT  
 P.O.B. - POINT OF BEGINNING  
 R - RADIUS  
 Δ - CENTRAL ANGLE BOOK  
 A - ARC LENGTH  
 P.B. - PLAT BOOK  
 ORB - OFFICIAL RECORD  
 PG. - PAGE  
 R/W - RIGHT-OF-WAY  
 C - CENTERLINE  
 (P) - PLAT DIMENSION  
 (M) - MEASURED DIMENSION  
 LB - LICENSED BUSINESS

**NOTES:**

- 1) BEARINGS AND COORDINATES SHOWN HEREON ARE RELATIVE TO STATE PLANE COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983/90 ADJUSTMENT. BEARINGS ARE BASED ON S16°27'02"W, ALONG A LINE BETWEEN PALM BEACH COUNTY CONTROL MONUMENTS "RIVIERA COMPLEX" AND "CATERS", BRASS DISKS IN CONCRETE.
- 2) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR BLUE HERON BLVD., PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC., PALM BEACH COUNTY PROJECT No.20013102, DATED 7/1/2014.
- 3) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 4) ALL BEARINGS AND DISTANCES ARE CALCULATED, UNLESS NOTED OTHERWISE.
- 5) PARCEL 101:  
 OWNER: RIVIERA DOLPHIN 1, LLC  
 PARENT TRACT AREA = 255,638 SQUARE FEET (5.87 ACRES)  
 PARCEL 101 TAKE AREA = 5,269 SQUARE FEET



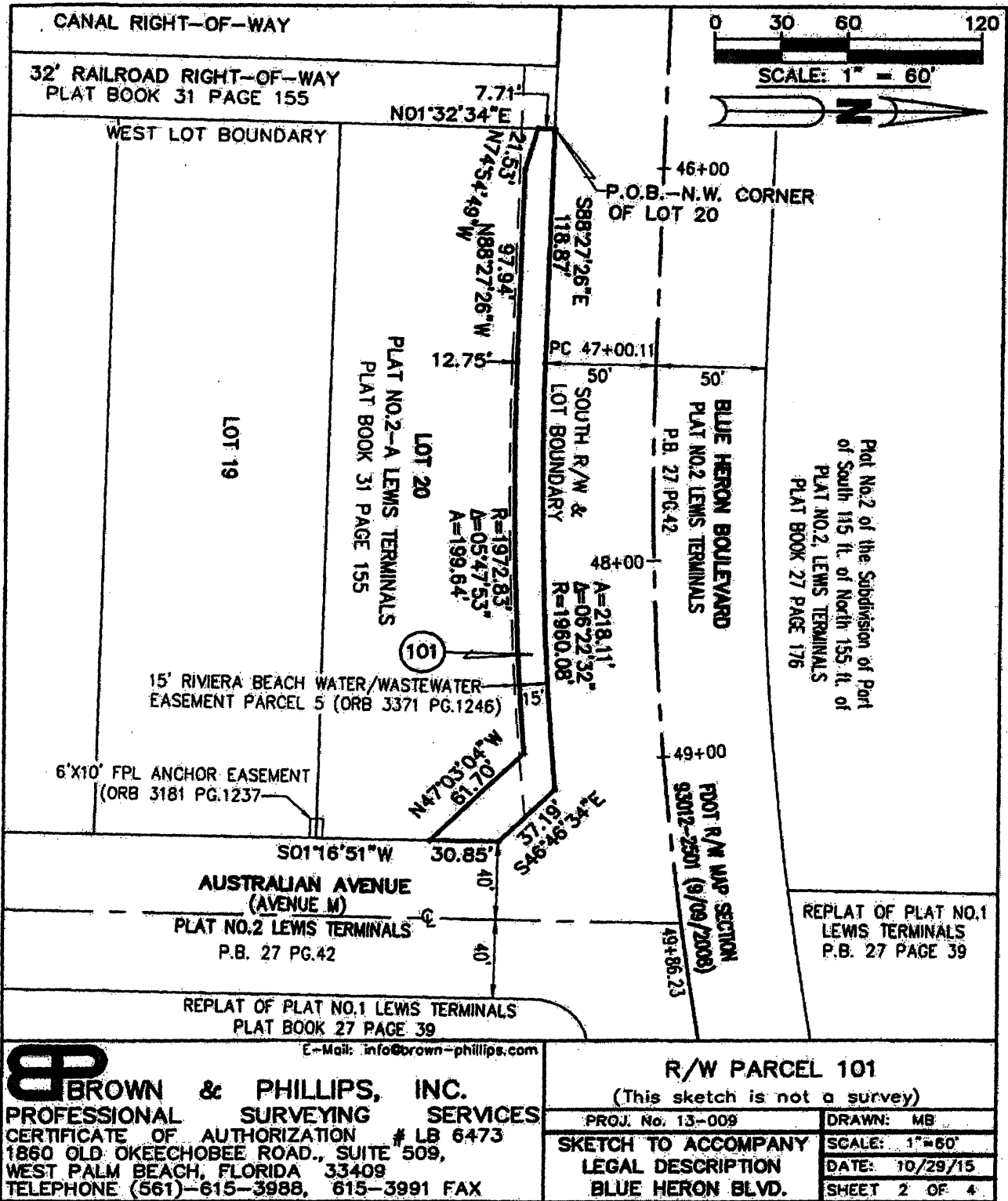
STATE OF FLORIDA  
 DEPARTMENT OF TRANSPORTATION  
 3400 WEST COMMERCIAL BOULEVARD  
 FT. LAUDERDALE, FL 33309  
 (954) 777-4551

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

<b>R/W PARCEL 101 DESCRIPTION NOTES</b>	
PROJ. No. 13-009	DRAWN: MB
BLUE HERON BLVD.	SCALE: NONE
	DATE: 10/29/15
	SHEET 1 OF 4

**Exhibit "A"**



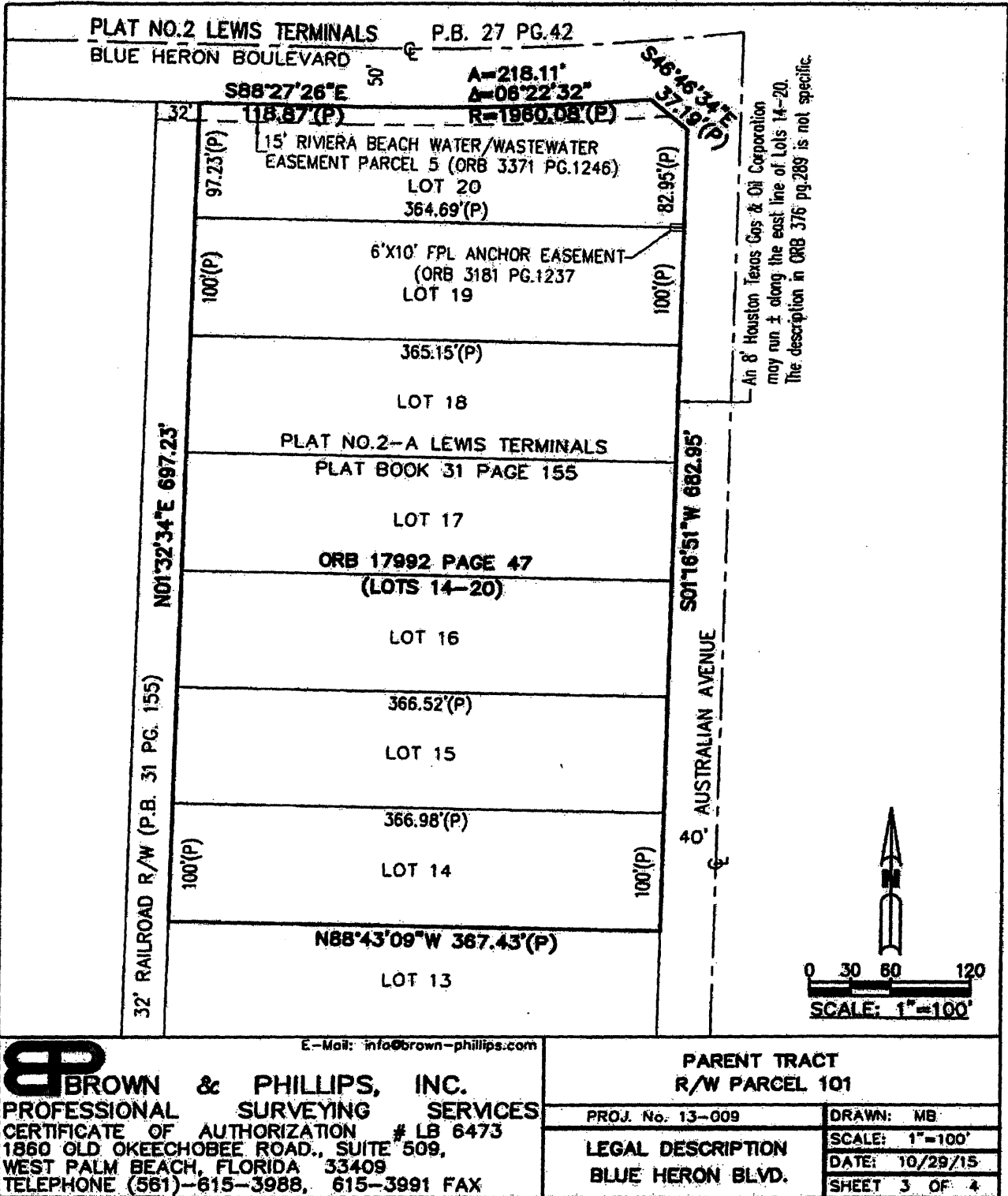
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**R/W PARCEL 101**  
 (This sketch is not a survey)

PROJ. No. 13-009	DRAWN: MB
<b>SKETCH TO ACCOMPANY LEGAL DESCRIPTION BLUE HERON BLVD.</b>	SCALE: 1"=60'
	DATE: 10/29/15
	SHEET 2 OF 4

**Exhibit "A"**



**BROWN & PHILLIPS, INC.**  
 PROFESSIONAL SURVEYING SERVICES  
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E-Mail: info@brown-phillips.com		<b>PARENT TRACT</b>	
		<b>R/W PARCEL 101</b>	
PROJ. No. 13-009	LEGAL DESCRIPTION	DRAWN: MB	SCALE: 1"=100'
	BLUE HERON BLVD.	DATE: 10/29/15	SHEET 3 OF 4

Exhibit "A"

EXHIBIT A - R/W PARCEL 101

A PARCEL OF LAND IN SECTION 29, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 20, PLAT NO.2--A LEWS TERMINALS, RECORDED IN PLAT BOOK 31, PAGE 155 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

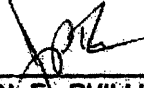
BEGIN AT THE NORTHWEST CORNER OF SAID LOT 20;  
THENCE ALONG THE BOUNDARY OF SAID LOT 20 FOR THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE S88°27'26"E FOR 118.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 1960.08 FEET;
- 2) THENCE EASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°22'32" FOR 218.11 FEET;
- 3) THENCE S46°46'34"E FOR 37.19 FEET;
- 4) THENCE S01°16'51"W FOR 30.85 FEET;

THENCE DEPARTING SAID BOUNDARY, N47°03'04"W FOR 61.70 FEET TO A CURVE CONCENTRIC WITH THE LAST-DESCRIBED CURVE, AND HAVING A RADIUS OF 1872.83 FEET;  
THENCE WESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 5°47'53" FOR 199.64 FEET TO A POINT OF TANGENCY;  
THENCE N88°27'26"W FOR 97.94 FEET;  
THENCE N74°54'49"W FOR 21.53 FEET TO THE WEST BOUNDARY OF SAID LOT 20;  
THENCE ALONG SAID WEST BOUNDARY, N01°32'34"E FOR 7.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,269 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. 4826  
 DATE: 3/31/10

NOT VALID UNLESS SIGNED AND SEALED.

E-Mail: info@brown-phillips.com		<b>R/W PARCEL 101</b>	
 <b>BROWN &amp; PHILLIPS, INC.</b> 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. 13-009	DRAWN: MB	
	LEGAL DESCRIPTION	SCALE: NONE	
	BLUE HERON BLVD.	DATE: 10/29/15	
		SHEET 4 OF 4	