

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: February 8, 2022

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: eleven Resolutions to initiate eminent domain proceedings by declaring the acquisition of properties designated as parcels 109 and 137 as permanent right-of-way easements, parcels 239 and 242 as permanent drainage easements, parcels 240, 243, 244, 245, 246, and 253 as permanent easements, and parcels 305 and 346 as temporary construction easements, necessary for the construction of roadway improvements on Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project).

SUMMARY: Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against 12 parcels having a total appraised value of \$243,323. The parcels are necessary for the widening and construction of the Project that will provide a five and six lane divided roadway section with new drainage, sidewalks, and paved shoulders/bike lanes. To date, 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. **This Project is included in the Five Year Road Program. District 6 (DO)**

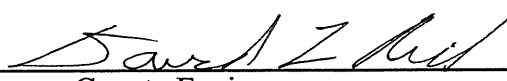
Background and Justification: On December 8, 2020, the Board of County Commissioners (BCC) approved a previous agenda item summary to initiate eminent domain proceedings. However, it was determined that the County would have to update language in order to obtain the property free and clear of certain encumbrances. The purchase price for the property has not changed. The acquisition of parcels 109, 137, 239, 242, 240, 243, 244, 245, 246, 253, 305, and 346 is for a public purpose and necessity, which is deemed to be in the best interest of the County. The Engineering Department recommends the BCC approval.

Attachments:

1. Location Map
2. Resolution for Parcel 109 with Exhibit "A" and Exhibit "B" (2)
3. Resolution for Parcel 137 with Exhibit "A" and Exhibit "B" (2)
4. Resolution for Parcel 239 with Exhibit "A" and Exhibit "B" (2)
5. Resolution for Parcel 240 with Exhibit "A" and Exhibit "B" (2)
6. Resolution for Parcel 242 with Exhibit "A" and Exhibit "B" (2)
7. Resolution for Parcel 243 with Exhibit "A" and Exhibit "B" (2)
8. Resolution for Parcel 244 with Exhibit "A" and Exhibit "B" (2)
9. Resolution for Parcel 245 with Exhibit "A" and Exhibit "B" (2)
10. Resolution for Parcels 246 and 346 with Exhibit "A" and Exhibit "B" (2)
11. Resolution for Parcel 253 with Exhibit "A" and Exhibit "B" (2)
12. Resolution for Parcel 305 with Exhibit "A" and Exhibit "B" (2)

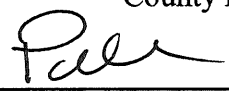

Recommended by:
KOF




County Engineer

1/19/2022
Date

Approved by:



Assistant County Administrator

1/26/22
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	\$243,323	-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	\$243,323	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

Budget Account No:
 Fund 3503 Dept 361 Unit 0966 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Fund - Zone 3
 Northlake Bl/Sem Pratt-Coconut

Number of Parcels Going Into Suit: 12
 Drainage Easements: 2
 Permanent Easements: 6
 Right of Way Easements: 2
 Temporary Construction Easement: 2

Parcels:
 RWE 109, 137
 TCE 305, 346
 DE 239, 242
 PE 240, PE 243-246, PE 253

Estimated Total Acquisition Cost \$ 243,323.00

C. Departmental Fiscal Review:



III. REVIEW COMMENTS

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

Lisa M... 1/14/22
 OFMB 1-14-22
Jarvis... 1/19/22
... 1-20-22
 Contract Dev. and Control 1/20/22

B. Approved as to Form and Legal Sufficiency:


 Assistant County Attorney

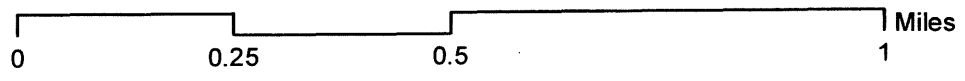
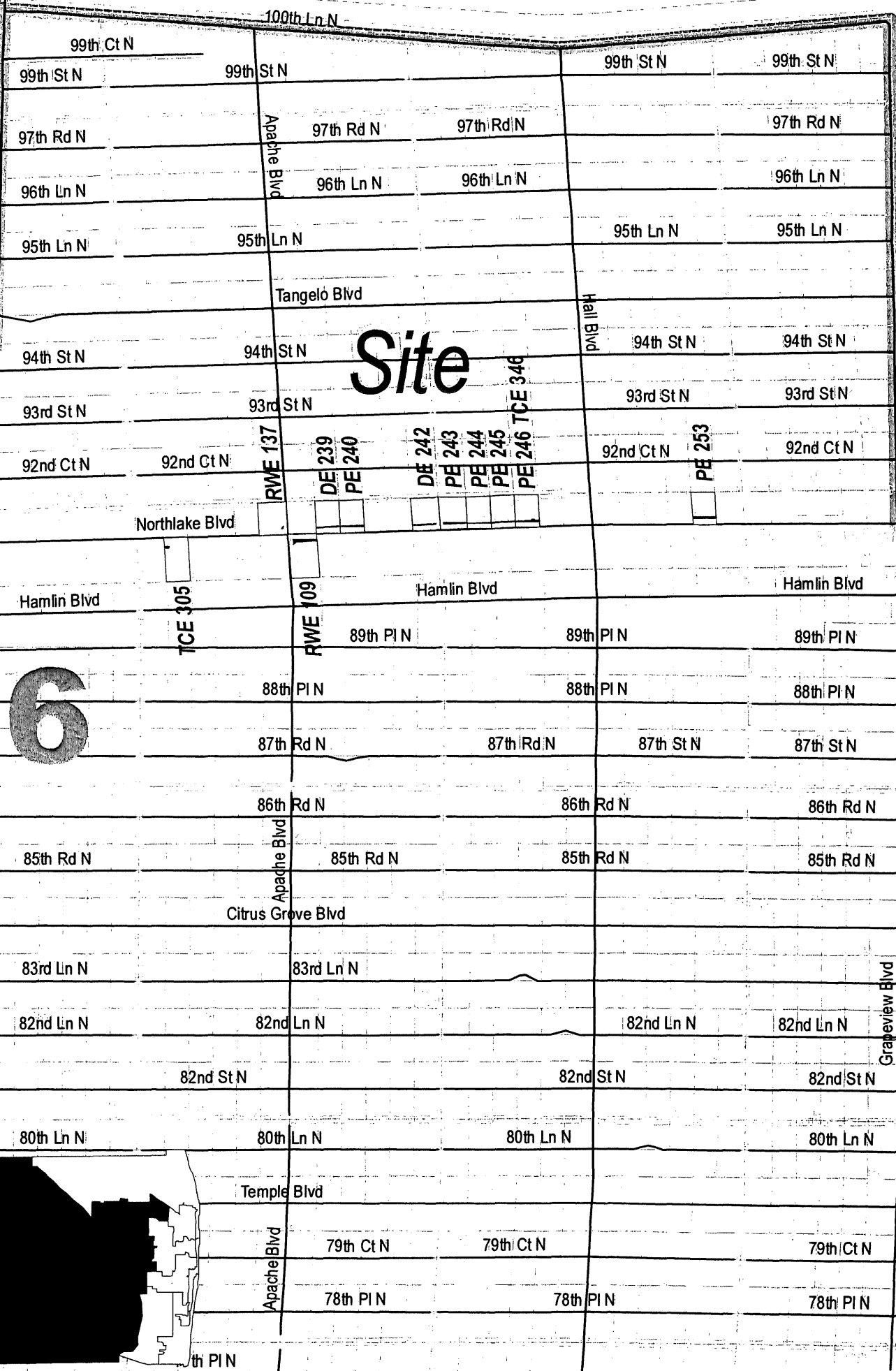
C. Other Department Review:

 Department Director

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



1



Location Map

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT RIGHT-OF-WAY EASEMENT, DESIGNATED AS PARCEL 109, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent right-of-way easement, designated as Parcel 109, on property described on **Exhibit “A”** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent right-of-way easement designated as Parcel 109; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project’s location including Parcel 109, 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 Parcel 109 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 109 is more fully described in **Exhibit “B”**; and

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

WHEREAS, the permanent right-of-way easement on 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 109, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent right-of-way easement, designated as Parcel 109, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent right-of-way easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 638.49 FEET OF SAID SECTION 18 (as measured along the east line of said Section 18), WITH THE WEST LINE OF THE EAST 2399.00 FEET OF SAID SECTION 18 (as measured along the south line of said Section 18);
 THENCE ALONG SAID WEST LINE, PARALLEL WITH THE EAST LINE OF SAID SECTION 18, S03°50'06"E FOR 50.05 FEET TO A LINE LYING 50.00 FEET SOUTH OF (measured perpendicular), AND PARALLEL WITH, THE SAID NORTH LINE OF THE SOUTH 638.49 FEET OF SAID SECTION 18, AND THE POINT OF BEGINNING;
 THENCE ALONG SAID PARALLEL LINE, S88°47'17"W FOR 208.92 FEET TO THE EAST LINE OF AN 80' WIDE ROAD AND DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 1810, PAGE 491, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
 THENCE ALONG SAID EAST LINE, S03°50'06"E FOR 46.19 FEET; THENCE N42°28'36"E FOR 36.16 FEET;
 THENCE N88°47'17"E FOR 182.74 FEET TO THE SAID WEST LINE OF THE EAST 2399.00 FEET OF SECTION 18;
 THENCE ALONG SAID WEST LINE, N03°50'06"E FOR 20.02 FEET TO THE POINT OF BEGINNING.
 CONTAINING 4520 SQUARE FEET, MORE OR LESS.

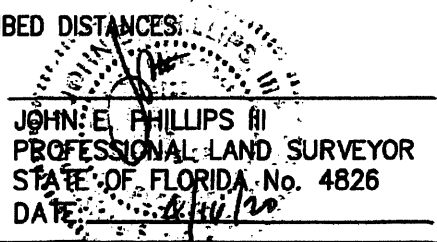
NOTES:


- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED
P.O.B. - POINT OF BEGINNING	ORB - OFFICIAL RECORD
R/W - RIGHT-OF-WAY	STA - STATION
⊕ CONST. - CENTERLINE OF CONSTRUCTION	R - RIGHT
PBCo or PBC - PALM BEACH COUNTY	L - LEFT
(M) - MEASURED DIMENSION	RPB - ROAD PLAT BOOK
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
	DE - DRAINAGE EASEMENT
	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70.
 REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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.

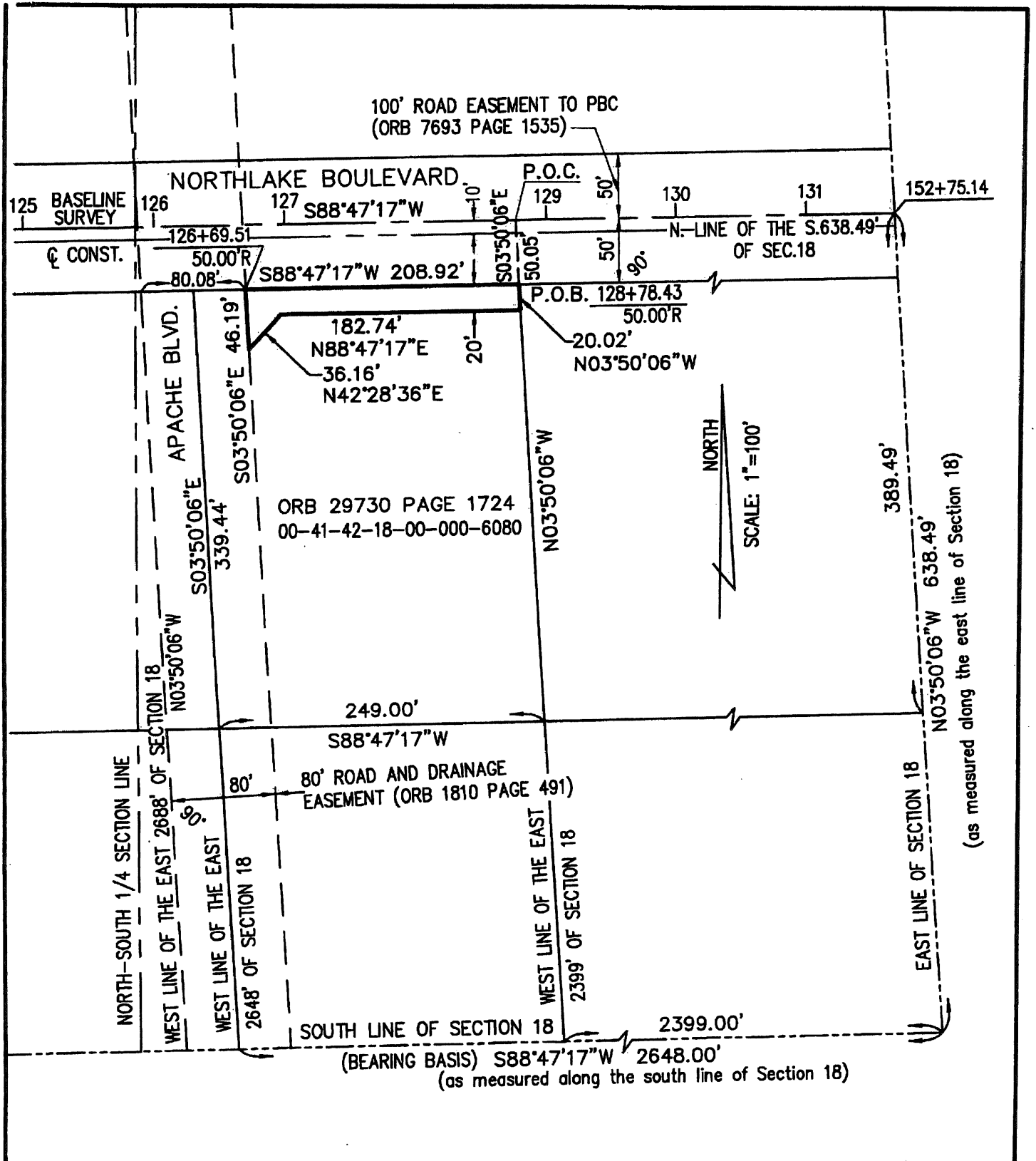

 JOHN E. PHILLIPS #1
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 3/23/20


BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2

**NORTHLAKE BOULEVARD
 RIGHT-OF-WAY EASEMENT 109**



THIS SKETCH IS NOT A SURVEY

B **BROWN & PHILLIPS, INC.**

PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: 1"=100'
DATE: 3/23/20	SHEET 2 OF 2

NORHLAKE BOULEVARD
 RIGHT-OF-WAY EASEMENT 109

EXHIBIT "B"

NORHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT RIGHT-OF-WAY EASEMENT PARCEL 109

Currently, the County owns a 100-foot wide right-of-way easement for Northlake Boulevard from Seminole Pratt Whitney Road to Grapeview Boulevard. The improvements for this Project require a 120-foot wide right-of-way easement. The additional 20 foot acquisition is required to accommodate an additional lane, sidewalk, and paved shoulder. The parcel also includes a triangular segment that is required to maintain clear sight distance and to harmonize the road construction behind the proposed sidewalk.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT RIGHT-OF-WAY EASEMENT, DESIGNATED AS PARCEL 137, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent right-of-way easement, designated as Parcel 137, on property described on **Exhibit "A"** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent right-of-way easement designated as Parcel 137; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 137, 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 Parcel 137 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 137 is more fully described in **Exhibit "B"**; and

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

WHEREAS, the permanent right-of-way easement on 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 137, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent right-of-way easement, designated as Parcel 137, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent right-of-way easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director
Kof

**EXHIBIT A
RWE 137**


A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY EASEMENT PURPOSES IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF A ROAD AND DRAINAGE EASEMENT FOR APACHE BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 1810, PAGE 491, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH THE NORTH LINE OF A PALM BEACH COUNTY ROAD EASEMENT FOR NORTHLAKE BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1535, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID WEST LINE OF APACHE BOULEVARD, N03°50'06"W FOR 18.10 FEET; THENCE S42°28'36"W FOR 25.00 FEET TO THE SAID NORTH LINE OF NORTHLAKE BOULEVARD; THENCE ALONG SAID NORTH LINE, N88°47'17"E FOR 18.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 164 SQUARE FEET (0.004 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 B. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE 7/22/19

REVISIONS:

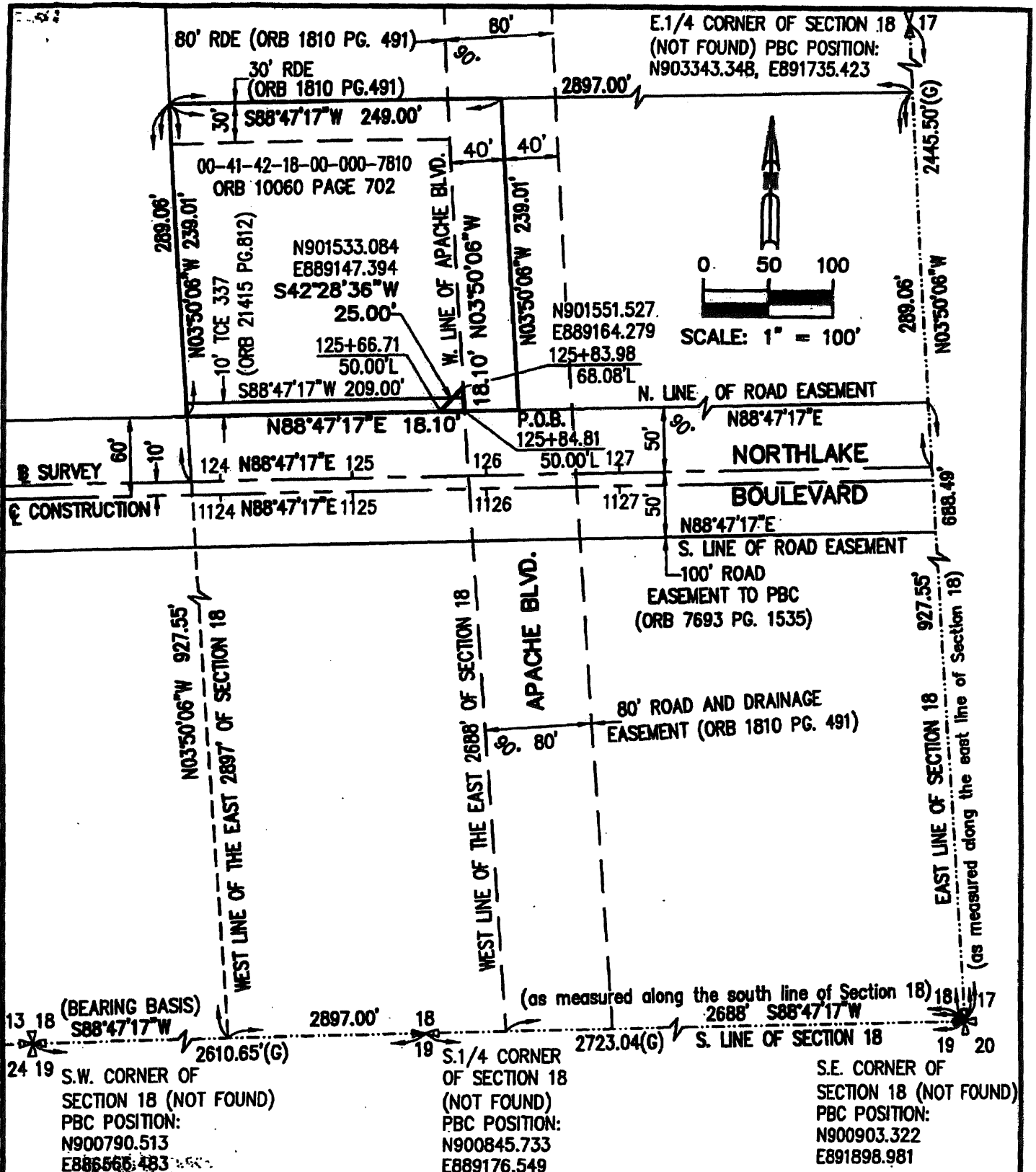
3/21/19: PBC 2/25/19 & 3/20/19 COMMENTS
7/16/19: PBC 7/11/19 COMMENT


E-Mail: info@brown-phillips.com

 **BROWN & PHILLIPS, INC.**
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1880 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

PALM BEACH COUNTY PROJECT No. 2003503A
NORTHLAKE BOULEVARD-RWE 137
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 17-078
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 09/17/18
	SHEET 1 OF 3



 <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>	E-Mail: info@brown-phillips.com		PALM BEACH COUNTY PROJECT No.2003503A NORTHLAKE BOULEVARD-RWE 137 (THIS SKETCH IS NOT A SURVEY)	
	DRAWN: MDB	PROJ. No. 17-078		
	CHECKED: JEP	SCALE: 1" = 100'		
	SKETCH TO ACCOMPANY LEGAL DESCRIPTION		DATE: 09/17/18	SHEET 2 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	STA - STATION
P.O.B. - POINT OF BEGINNING	R - RIGHT OF BASELINE
R/W - RIGHT-OF-WAY	L - LEFT OF BASELINE
☉ - CENTERLINE	RPB - ROAD PLAT BOOK
Ⓢ - BASELINE	RWE - RIGHT-OF-WAY EASEMENT
PBC - PALM BEACH COUNTY	RDE - ROAD & DRAINAGE EASEMENT
(M) - MEASURED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(C) - CALCULATED DIMENSION	PE - PERMANENT EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	EE - EMBANKMENT EASEMENT
ORB - OFFICIAL RECORD BOOK	DE - DRAINAGE EASEMENT
BLVD. - BOULEVARD	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.


 <p style="text-align: right;">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>	PALM BEACH COUNTY PROJECT No.2003503A NORTHLAKE BOULEVARD-RWE 137 (THIS IS NOT A SURVEY)	
	DRAWN: MDB	PROJ. No. 17-078
	CHECKED: JEP	SCALE: NONE
	DESCRIPTION NOTES	DATE: 09/17/18
		SHEET 3 OF 3

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT RIGHT-OF- WAY EASEMENT PARCEL 137

Parcel 137 is a triangular segment that represents acquisition outside of the existing right-of-way at the intersection of Northlake Boulevard and Apache Boulevard. It is required to maintain clear sight distance at the intersection and to harmonize the road construction behind the proposed sidewalk.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT DRAINAGE EASEMENT, DESIGNATED AS PARCEL 239 NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent drainage easement, designated as Parcel 239, on the property described on Exhibit "A" to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent drainage easement, designated as Parcel 239; and

WHEREAS, the property owner has not accepted the offer to purchase Parcel 239 made by Palm Beach County (County); and

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 239, 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 Parcel 239 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 239 is more fully described in Exhibit "B"; and

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

WHEREAS, the permanent drainage easement on 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 239, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent drainage easement, designated as Parcel 239, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent drainage easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET, OF THE SOUTH 60.00 FEET, OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET, OF THE WEST 209.00 FEET, OF THE EAST 2399.00 FEET, OF SAID SECTION 18.

CONTAINING 2090 SQUARE FEET, MORE OR LESS.

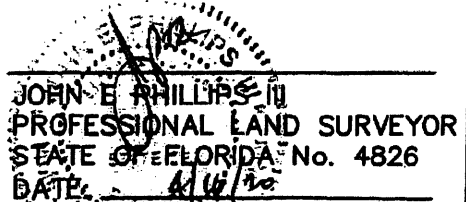
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
CL CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(C) - CALCULATED DIMENSION	DE - DRAINAGE EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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 BELOW.

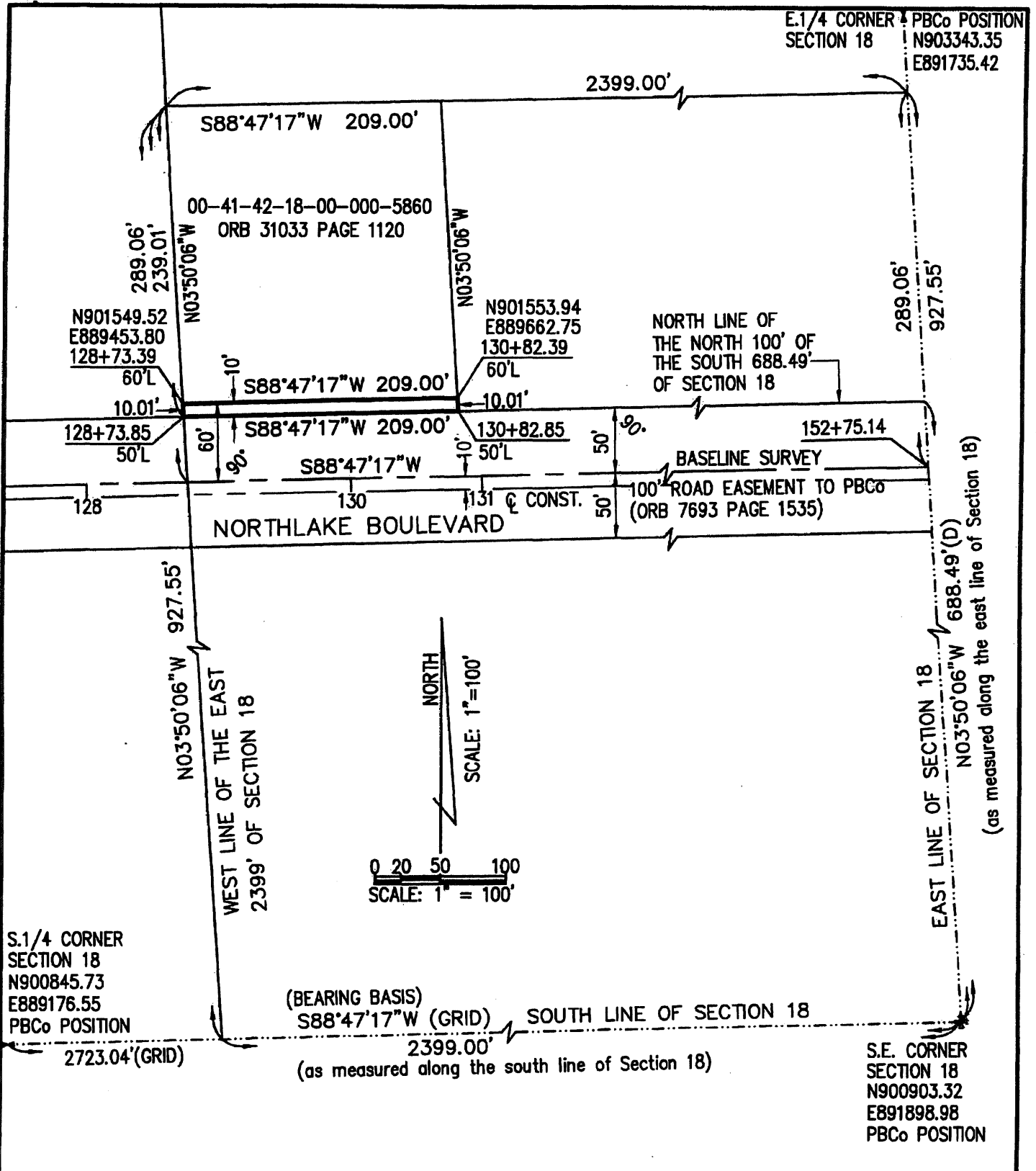


 JOHN E. PHILLIPS, II
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 3/23/20


BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2
NORTHLAKE BOULEVARD DE 239	



S:\2004 drawing files\04-03204-032 Northlake Blvd legale and sketches.dwg, 4/15/2020 2:57:09 PM, DWG To PDF.pc3

<p style="text-align: center;">THIS SKETCH IS NOT A SURVEY</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">B</p> <p style="font-size: 1.5em; font-weight: bold; margin: 0;">BROWN & PHILLIPS, INC.</p> <p style="margin: 0;">PROFESSIONAL SURVEYING SERVICES</p> <p style="margin: 0;">CERTIFICATE OF AUTHORIZATION # LB 6473</p> <p style="margin: 0;">901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407</p> <p style="margin: 0;">(561) 615-3988, (561) 615-3986 FAX</p>	<p style="font-weight: bold; margin: 0;">SKETCH TO ACCOMPANY LEGAL DESCRIPTION</p>	
	<p>DRAWN: MDB</p> <p>CHECKED: TB</p> <p>DATE: 3/23/20</p>	<p>PROJ. No. 04-032</p> <p>SCALE: 1"=100'</p> <p>SHEET 2 OF 2</p>
<p>NORTHLAKE BOULEVARD DE 239</p>		

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT DRAINAGE EASEMENT PARCEL 239

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 240, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent easement, designated as Parcel 240, on property described on **Exhibit "A"** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent easement designated as Parcel 240; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 240, 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 Parcel 240 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 240 is more fully described in **Exhibit "B"**; and

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

WHEREAS, the permanent easement on 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 240, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent easement, designated as Parcel 240, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  _____ Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET, OF THE SOUTH 60.00 FEET, OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET, OF THE WEST 209.00 FEET, OF THE EAST 2190.00 FEET, OF SAID SECTION 18.

CONTAINING 2090 SQUARE FEET, MORE OR LESS.

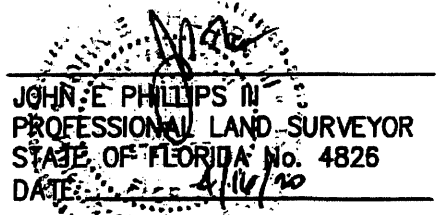
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD BOOK
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
CL CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	PE - PERMANENT EASEMENT
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	DE - DRAINAGE EASEMENT
	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

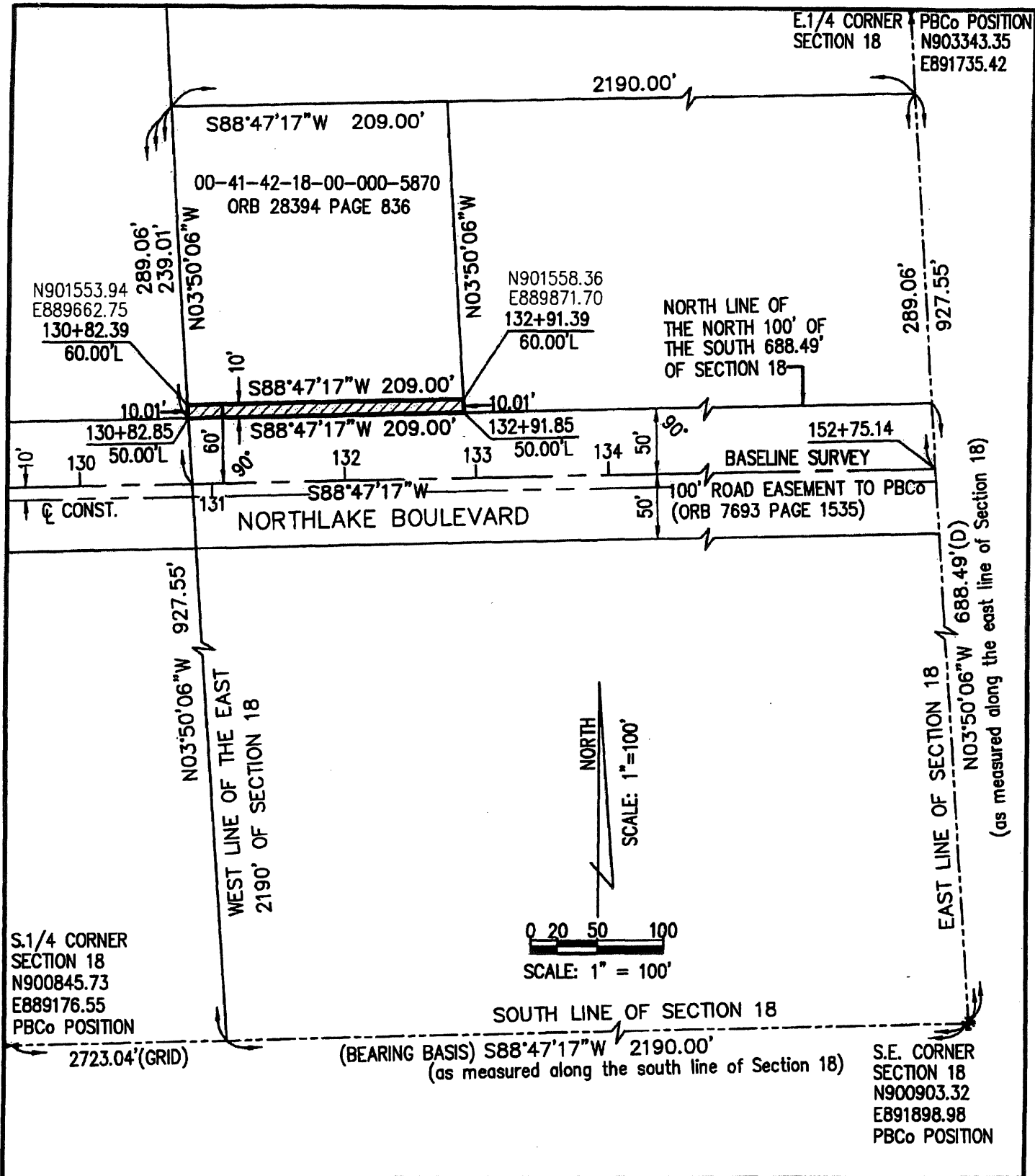
THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER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


 JOHN E. PHILLIPS III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 4/16/20

BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2
NORTHLAKE BOULEVARD PE 240	



5/2/2004 drawing file: 04-032-Northlake Blvd legals and sketches.dwg, 4/15/2020 2:56:29 PM, DWG To PDF.pc3

<p style="text-align: center;">THIS SKETCH IS NOT A SURVEY</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">BP</p> <p style="font-size: 1.5em; font-weight: bold; margin: 0;">BROWN & PHILLIPS, INC.</p> <p>PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407 (561) 615-3988, (561) 615-3986 FAX</p>	SKETCH TO ACCOMPANY LEGAL DESCRIPTION	
	DRAWN: MDB	PROJ. No. 04-032
	CHECKED: TB	SCALE: 1"=100'
	DATE: 3/23/20	SHEET 2 OF 2
NORTHLAKE BOULEVARD PE 240		

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT EASEMENT PARCEL 240

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT DRAINAGE EASEMENT, DESIGNATED AS PARCEL 242 NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent drainage easement, designated as Parcel 242, on the property described on Exhibit "A" to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent drainage easement, designated as Parcel 242; and

WHEREAS, the property owner has not accepted the offer to purchase Parcel 242 made by Palm Beach County (County); and

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 242, 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 Parcel 242 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 242 is more fully described in Exhibit "B"; and

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

WHEREAS, the permanent drainage easement on 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 242, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent drainage easement, designated as Parcel 242, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent drainage easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 5.00 FEET, OF THE SOUTH 55.00 FEET,
OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET,
OF THE WEST 209.00 FEET, OF THE EAST 1563.00 FEET,
OF SAID SECTION 18.

CONTAINING 1045 SQUARE FEET, MORE OR LESS.

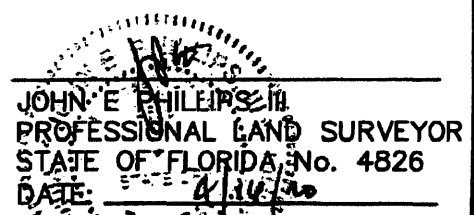
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
☉ CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(C) - CALCULATED DIMENSION	DE - DRAINAGE EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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 BELOW.



 JOHN E. PHILLIPS, JR.
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 4/16/20

BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2
NORTHLAKE BOULEVARD DE 242	

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT DRAINAGE EASEMENT PARCEL 242

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 243, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent easement, designated as Parcel 243, on property described on **Exhibit "A"** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent easement designated as Parcel 243; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 243, 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 Parcel 243 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 243 is more fully described in **Exhibit "B"**; and

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

WHEREAS, the permanent easement on 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 243, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent easement, designated as Parcel 243, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor	_____
Commissioner Gregg K. Weiss, Vice Mayor	_____
Commissioner Maria G. Marino	_____
Commissioner Dave Kerner	_____
Commissioner Maria Sachs	_____
Commissioner Melissa McKinlay	_____
Commissioner Mack Bernard	_____

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

PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
FLORIDA, BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO,
CLERK OF THE CIRCUIT COURT
& COMPTROLLER

BY: _____
Assistant County Attorney

BY: _____
Deputy Clerk

APPROVED AS TO TERMS
AND CONDITION

BY: 
Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET, OF THE SOUTH 60.00 FEET, OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET, OF THE WEST 239.00 FEET, OF THE EAST 1324.00 FEET, OF SAID SECTION 18; LESS THAT PORTION LYING WITHIN A 60' ROAD AND DRAINAGE EASEMENT, RECORDED IN OFFICIAL RECORD BOOK 1810, PAGE 491. OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 2090 SQUARE FEET, MORE OR LESS.

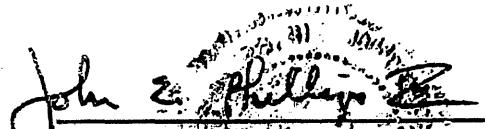
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

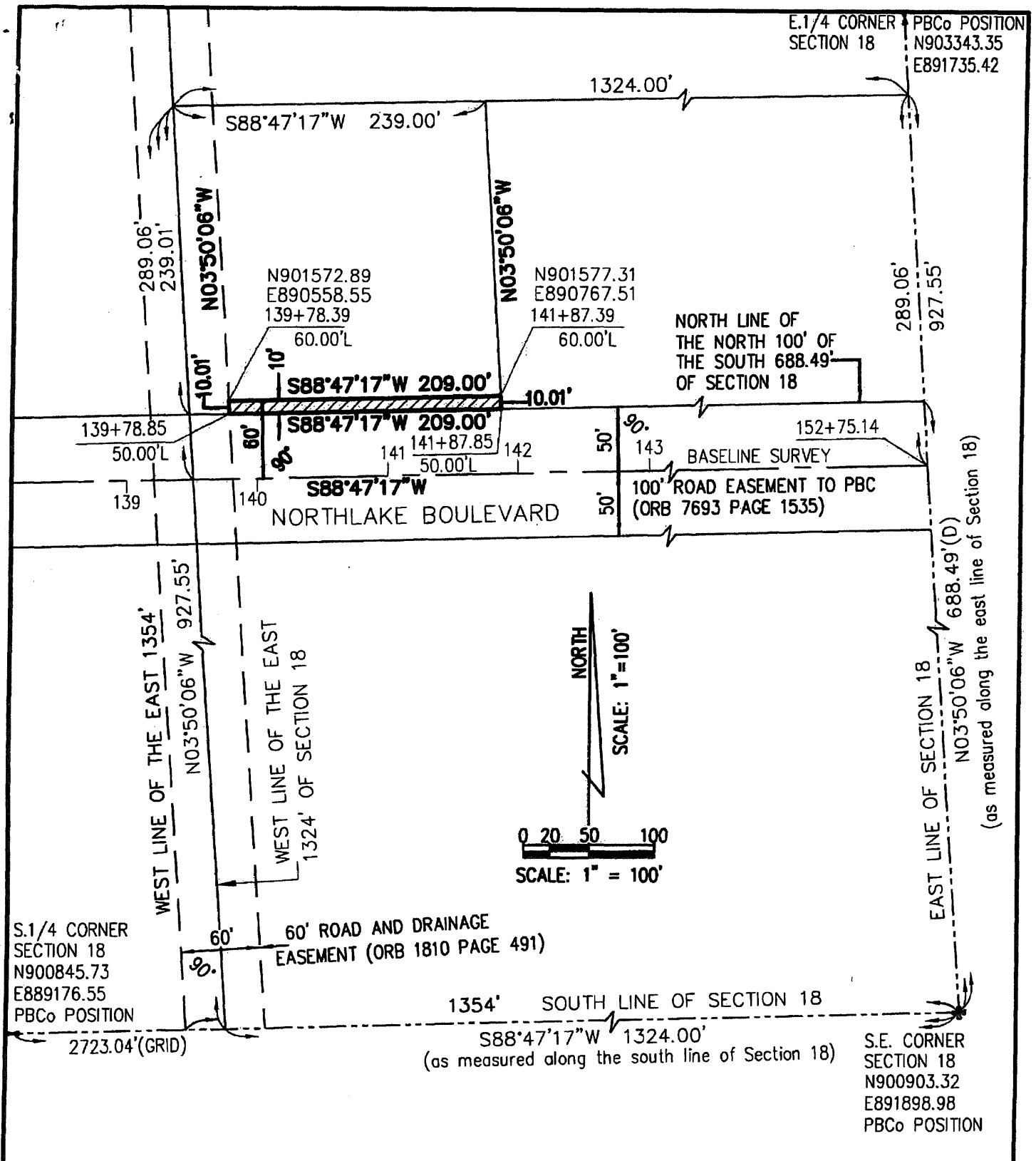
P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD BOOK
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
CL - CENTERLINE	L - LEFT
PBCo PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	PE - PERMANENT EASEMENT
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	DE - DRAINAGE EASEMENT
	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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: 3-5-13


BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION		
DRAWN:	MDB	PROJ. No. 04-032
CHECKED:	TB	SCALE: NONE
DATE:	3/5/15	SHEET 1 OF 2
NORTHLAKE BOULEVARD PE 243		



<p style="text-align: center;">THIS SKETCH IS NOT A SURVEY</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">B</p> <p style="font-size: 1.5em; font-weight: bold; margin: 0;">BROWN & PHILLIPS, INC.</p> <p style="margin: 0;">PROFESSIONAL SURVEYING SERVICES</p> <p style="margin: 0;">CERTIFICATE OF AUTHORIZATION # LB 6473</p> <p style="margin: 0;">901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407</p> <p style="margin: 0;">(561) 615-3988, (561) 615-3986 FAX</p>	<p style="font-weight: bold; margin: 0;">SKETCH TO ACCOMPANY</p> <p style="font-weight: bold; margin: 0;">LEGAL DESCRIPTION</p>	
	<p style="margin: 0;">DRAWN: MDB</p> <p style="margin: 0;">CHECKED: TB</p> <p style="margin: 0;">DATE: 3/5/15</p>	<p style="margin: 0;">PROJ. No. 04-032</p> <p style="margin: 0;">SCALE: 1"=100'</p> <p style="margin: 0;">SHEET 2 OF 2</p>
NORTHLAKE BOULEVARD PE 243		

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six-lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT EASEMENT PARCEL 243

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 244, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent easement, designated as Parcel 244, on property described on **Exhibit "A"** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent easement designated as Parcel 244; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 244, 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 Parcel 244 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 244 is more fully described in **Exhibit "B"**; and

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

WHEREAS, the permanent easement on 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 244, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent easement, designated as Parcel 244, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
Commissioner Gregg K. Weiss, Vice Mayor _____
Commissioner Maria G. Marino _____
Commissioner Dave Kerner _____
Commissioner Maria Sachs _____
Commissioner Melissa McKinlay _____
Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
FLORIDA, BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO,
CLERK OF THE CIRCUIT COURT
& COMPTROLLER

BY: _____
Assistant County Attorney

BY: _____
Deputy Clerk

APPROVED AS TO TERMS
AND CONDITION

BY:  _____
K6F Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 5.00 FEET, OF THE SOUTH 55.00 FEET,
OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET,
OF THE WEST 209.00 FEET, OF THE EAST 1085.00 FEET,
OF SAID SECTION 18.

CONTAINING 1045 SQUARE FEET, MORE OR LESS.

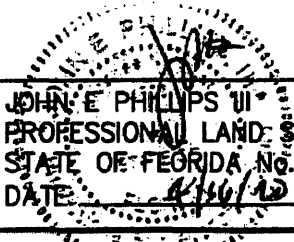
NOTES:


- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C. - POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD BOOK
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
CL CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	PE - PERMANENT EASEMENT
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	DE - DRAINAGE EASEMENT
	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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.

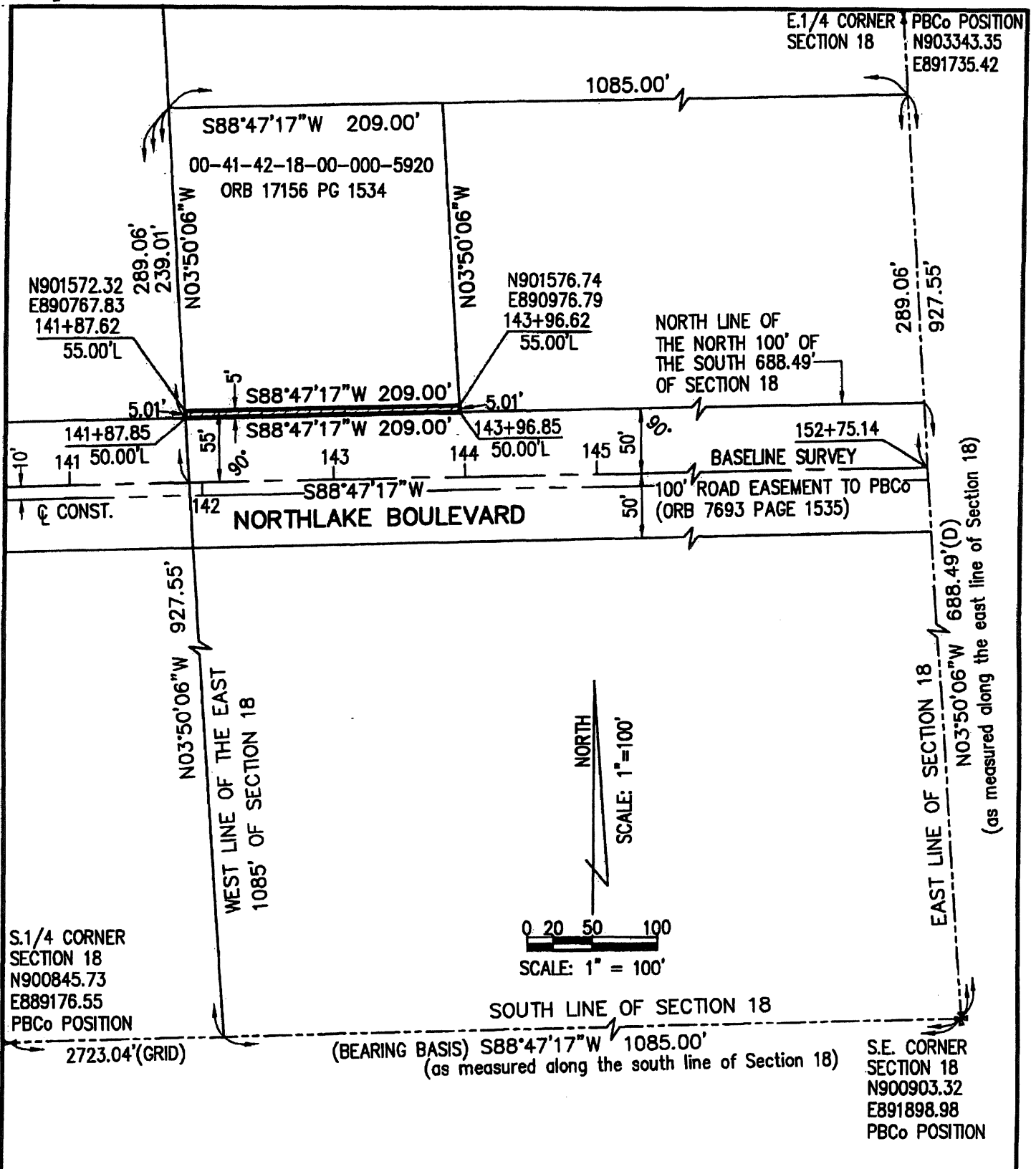

 JOHN E. PHILLIPS III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 3/23/20


BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2

NORTHLAKE BOULEVARD
PE 244



S:\2004 drawing files\04-032\Northlake Blvd legals and sketches.dwg, 4/15/2020 3:02:38 PM, DWG To PDF.pc3

<p style="text-align: center;">THIS SKETCH IS NOT A SURVEY</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">BP</p> <p style="font-size: 1.5em; font-weight: bold; margin: 0;">BROWN & PHILLIPS, INC.</p> <p style="margin: 0;">PROFESSIONAL SURVEYING SERVICES</p> <p style="margin: 0;">CERTIFICATE OF AUTHORIZATION # LB 6473</p> <p style="margin: 0;">901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407</p> <p style="margin: 0;">(561) 615-3988, (561) 615-3986 FAX</p>	<p>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</p>	
	DRAWN: MDB	PROJ. No. 04-032
	CHECKED: TB	SCALE: 1"=100'
	DATE: 3/23/20	SHEET 2 OF 2
<p>NORHLAKE BOULEVARD</p> <p>PE 244</p>		

EXHIBIT "B"

NORHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT EASEMENT PARCEL 244

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 245, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent easement, designated as Parcel 245, on property described on **Exhibit “A”** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent easement designated as Parcel 245; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project’s location including Parcel 245, 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 Parcel 245 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 245 is more fully described in **Exhibit “B”**; and

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

WHEREAS, the permanent easement on 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 245, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent easement, designated as Parcel 245, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 5.00 FEET, OF THE SOUTH 55.00 FEET,
OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET,
OF THE WEST 209.00 FEET, OF THE EAST 876.00 FEET,
OF SAID SECTION 18.

CONTAINING 1045 SQUARE FEET, MORE OR LESS.

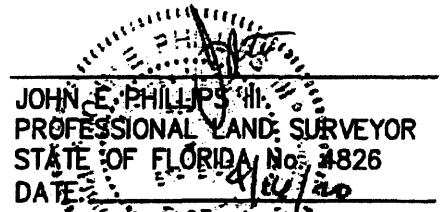
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD BOOK
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
⊙ CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	PE - PERMANENT EASEMENT
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	DE - DRAINAGE EASEMENT
	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

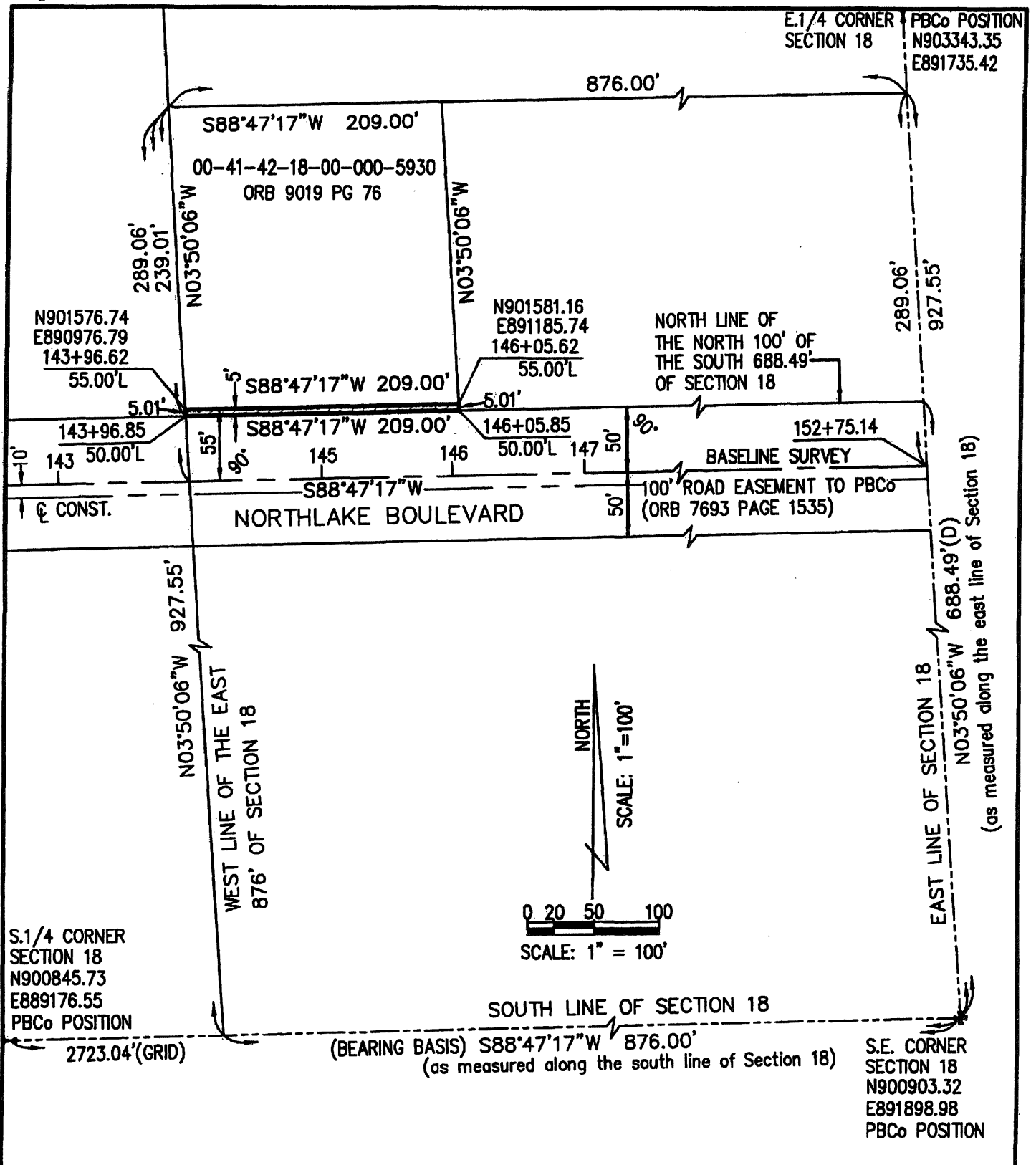
THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER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


 JOHN E. PHILLIPS III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 2826
 DATE 3/23/20

BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2
NORTHLAKE BOULEVARD PE 245	



S:\2004 drawing files\04-032\04-032 Northlake Blvd legal and sketches.dwg, 4/15/2020 3:05:19 PM, DWG To PDF.pc3

<p style="text-align: center; font-weight: bold;">THIS SKETCH IS NOT A SURVEY</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">B</p> <p style="font-weight: bold; margin: 0;">BROWN & PHILLIPS, INC.</p> <p style="margin: 0;">PROFESSIONAL SURVEYING SERVICES</p> <p style="margin: 0;">CERTIFICATE OF AUTHORIZATION # LB 6473</p> <p style="margin: 0;">901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407</p> <p style="margin: 0;">(561) 615-3988, (561) 615-3986 FAX</p>	SKETCH TO ACCOMPANY LEGAL DESCRIPTION	
	DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: 1"=100'	
DATE: 3/23/20	SHEET 2 OF 2	
NORHLAKE BOULEVARD PE 245		

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT EASEMENT PARCEL 245

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCELS 246 AND 346, RESPECTIVELY, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent easement designated as Parcel 246, and a temporary construction easement designated as Parcel 346, on the property described on Exhibit "A" to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent easement designated as Parcel 246, and a temporary construction easement designated as Parcel 346; and

WHEREAS, the property owner has not accepted the offer to purchase Parcels 246 and 346 made by Palm Beach County (County); and

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcels 246 and 346, 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 these parcels, more-fully described in Exhibit "B"; and

WHEREAS, after considering the factors as set forth above, the BCC has determined that the acquisition of Parcels 246 and 346 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction uses and purposes of Parcels 246 and 346 and the duration of Parcel 346 are more fully described in Exhibit "B"; and

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

WHEREAS, the permanent easement and temporary construction easement on property described in Exhibit "A", to be acquired through Eminent Domain as authorized by this Resolution, are 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 246, and 346, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent easement and temporary construction easement, designated as Parcels 246 and 346, respectively, on property described in Exhibit "A" are to be used for the following public use and purpose: permanent easement and temporary construction easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET, OF THE SOUTH 60.00 FEET, OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET, OF THE WEST 209.00 FEET, OF THE EAST 667.00 FEET, OF SAID SECTION 18.

CONTAINING 2090 SQUARE FEET, MORE OR LESS.

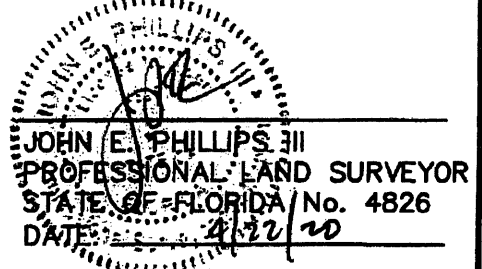
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:


P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD BOOK
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
⊕ CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	PE - PERMANENT EASEMENT
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	DE - DRAINAGE EASEMENT
18/42/41 - SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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 BELOW.



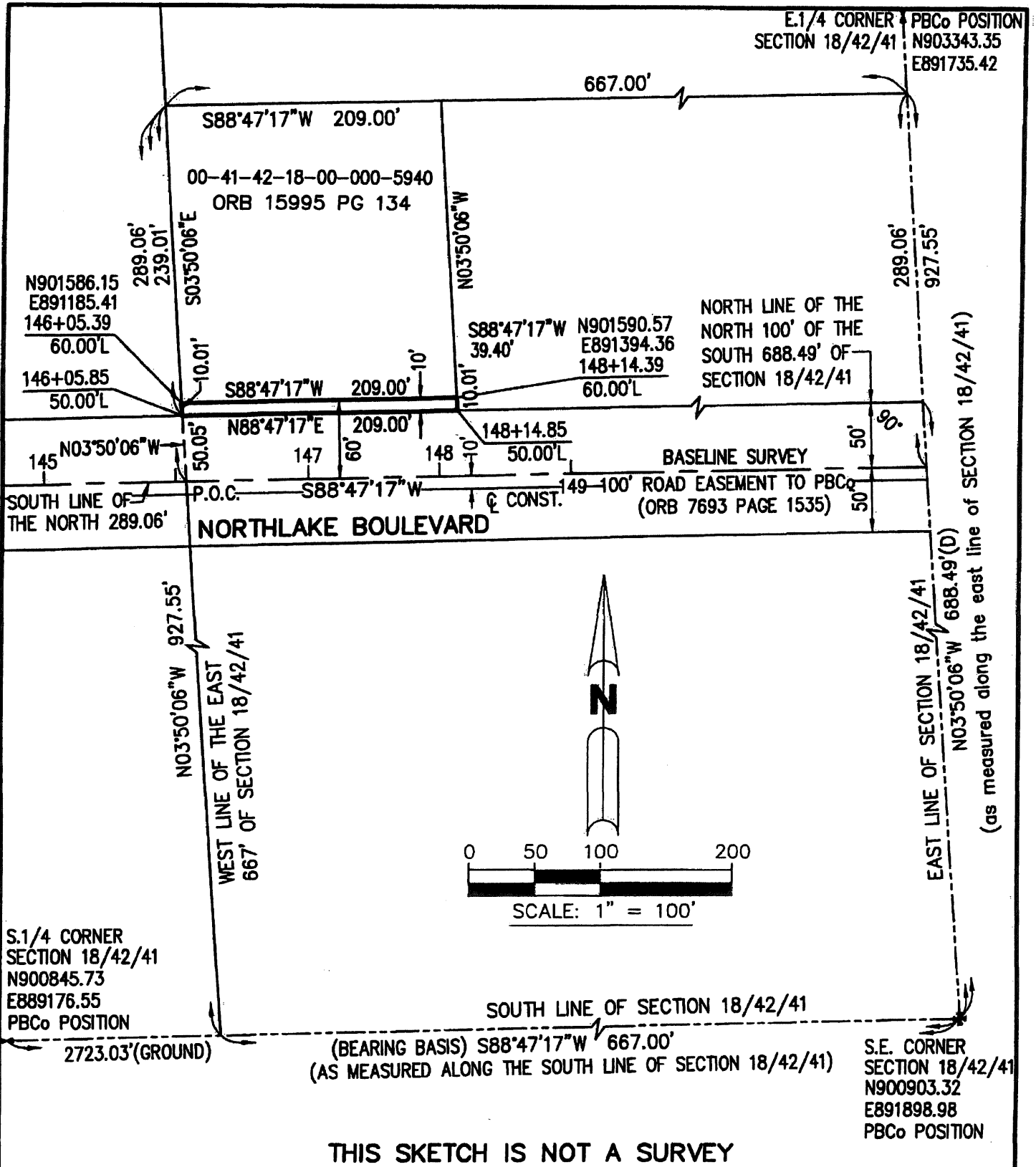
 JOHN E. PHILLIPS III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 4/22/20

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

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2
NORTHLAKE BOULEVARD PE 246	



THIS SKETCH IS NOT A SURVEY

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

SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: 1"=100'
DATE: 3/23/20	SHEET 2 OF 2
NORHLAKE BOULEVARD PE 246	

LEGAL DESCRIPTION

EXHIBIT A

A PARCEL OF LAND IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH LINE LINE OF THE NORTH 289.06 FEET, OF THE SOUTH 927.55 FEET, OF SAID SECTION 18 (as measured along the east line of said Section 18), WITH THE WEST LINE OF THE EAST 667.00 FEET OF SAID SECTION 18 (as measured along the south line of said Section 18); THENCE ALONG SAID WEST LINE, PARALLEL WITH THE EAST LINE OF SAID SECTION 18, N03°50'06"W FOR 60.06 FEET TO A LINE LYING 60.00 FEET NORTH OF (measured perpendicular), AND PARALLEL WITH, THE SAID SOUTH LINE OF THE NORTH 289.06 FEET;
 THENCE ALONG SAID PARALLEL LINE, N88°47'17"E FOR 145.60 FEET TO THE POINT OF BEGINNING;
 THENCE CONTINUE N88°47'17"E FOR 24.00 FEET; THENCE N01°12'43"W FOR 10.00 FEET;
 THENCE S88°47'17"W FOR 24.00 FEET; THENCE S01°12'43"E FOR 10.00 FEET TO THE POINT OF BEGINNING.
 CONTAINING 240 SQUARE FEET, MORE OR LESS.

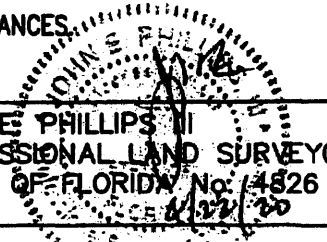
NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

P.O.C.- POINT OF COMMENCEMENT	ORB - OFFICIAL RECORD BOOK
P.O.B. - POINT OF BEGINNING	STA - STATION
R/W - RIGHT-OF-WAY	R - RIGHT
℄ CONST. - CENTERLINE OF CONSTRUCTION	L - LEFT
PBCo - PALM BEACH COUNTY	RPB - ROAD PLAT BOOK
(M) - MEASURED DIMENSION	PE - PERMANENT EASEMENT
(C) - CALCULATED DIMENSION	TCE - TEMPORARY CONSTRUCTION EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	DE - DRAINAGE EASEMENT
18/42/41 - SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70.
 REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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 BELOW.


 JOHN E. PHILLIPS II
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 3/23/20

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

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 3/23/20	SHEET 1 OF 2
NORTHLAKE BOULEVARD TCE 346	

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT EASEMENT PARCEL 246

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 346

This Temporary Construction Easement is needed for access and all related construction activities reasonably required for driveway construction, sloping, tying, grading, and to harmonize the road construction with the adjacent property. These described works to be performed on the above land shall not extend beyond the limits outlined in the legal descriptions of said property attached to the Resolution relating to Parcel 346 as **EXHIBIT A**. This Temporary Construction Easement shall expire upon the earlier of the acceptance of the construction of the Project by the Palm Beach County Board of County Commissioners through the Department of Engineering and Public Works or three (3) years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 253, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a permanent easement, designated as Parcel 253, on property described on **Exhibit "A"** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a permanent easement designated as Parcel 253; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 253, 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 Parcel 253 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 253 is more fully described in **Exhibit "B"**; and

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

WHEREAS, the permanent easement on 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 253, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 permanent easement, designated as Parcel 253, on property described in **Exhibit "A"** is to be used for the following public use and purpose: a permanent easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 17, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 15.00 FEET, OF THE SOUTH 65.00 FEET, OF THE NORTH 289.11 FEET, OF THE SOUTH 928.36 FEET, OF THE EAST 209.00 FEET, OF THE WEST 1085.00 FEET, OF THE WEST ONE-HALF OF SAID SECTION 17.

CONTAINING 3135 SQUARE FEET, MORE OR LESS.

NOTES:

1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.

2) STATE PLANE COORDINATES:

- A. COORDINATES SHOWN ARE GRID
- B. DATUM - NAD 83, 1990 ADJUSTMENT
- C. ZONE - FLORIDA EAST
- D. LINEAR UNIT - US SURVEY FOOT
- E. COORDINATE SYSTEM 1983 STATE PLANE

- F. TRANSVERSE MERCATOR PROJECTION
- G. ALL DISTANCES ARE GROUND
- H. SCALE FACTOR - 1.0000055
- I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- J. ROTATION EQUATION: NONE

3) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

4) ABBREVIATIONS:

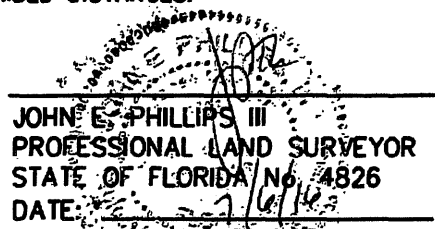
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- R/W - RIGHT-OF-WAY
- CL - CENTERLINE
- PBC - PALM BEACH COUNTY
- (M) - MEASURED DIMENSION
- (C) - CALCULATED DIMENSION
- (D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED
- 17/42/41 - SECTION 17, TOWNSHIP 42 SOUTH, RANGE 41 EAST

- ORB - OFFICIAL RECORD BOOK
- STA - STATION
- R - RIGHT
- L - LEFT
- RPB - ROAD PLAT BOOK
- PE - PERMANENT EASEMENT
- TCE - TEMPORARY CONSTRUCTION EASEMENT
- DE - DRAINAGE EASEMENT
- ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT

5) BEARING BASIS: S89°59'48"E (GRID) ALONG THE SOUTH LINE OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 41 EAST.

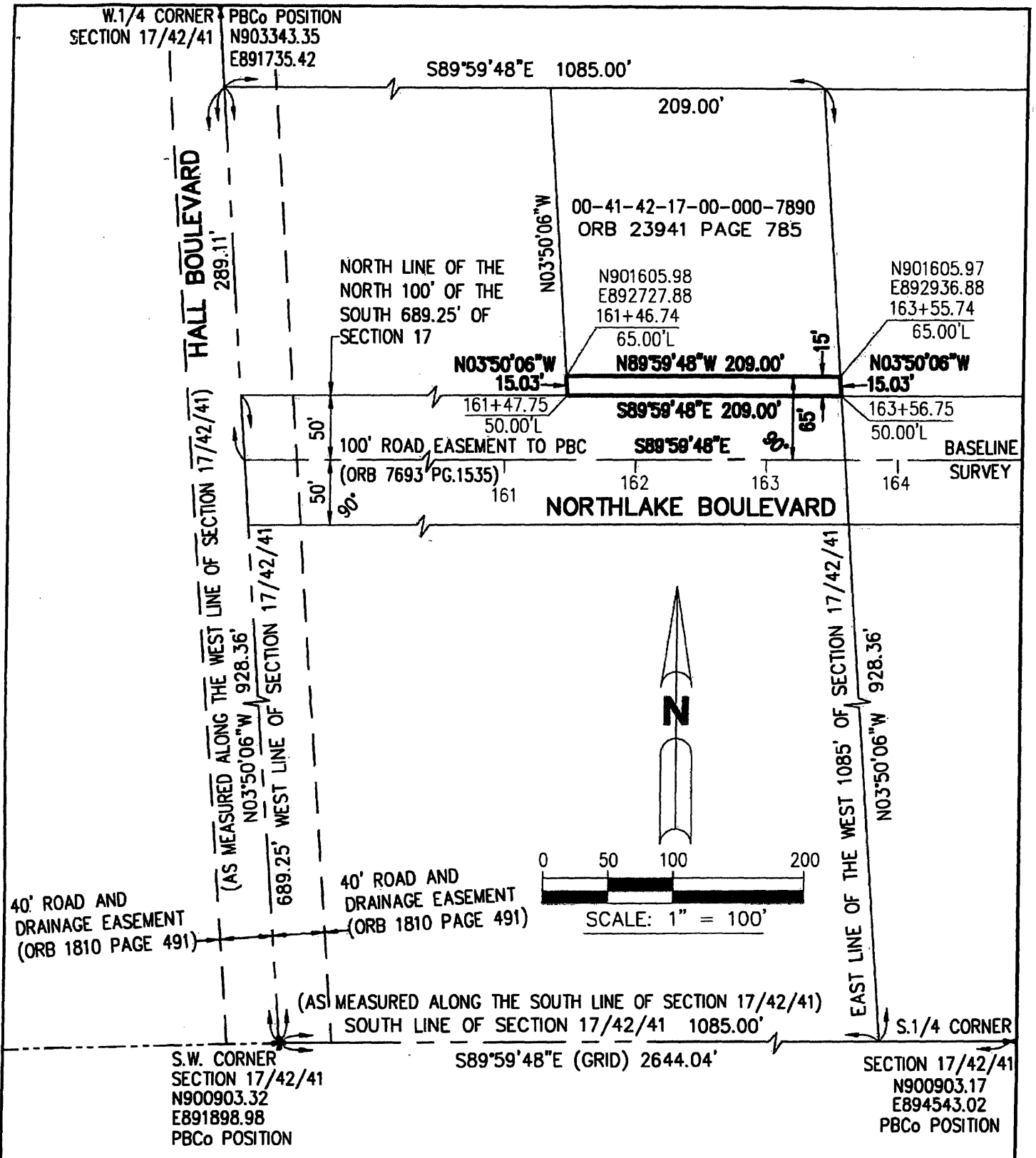
6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 17, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7011, DATED 4-70. REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.

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 BELOW.


 JOHN E. PHILLIPS III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: 7/5/16


BROWN & PHILLIPS, INC.
 PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION	
DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: NONE
DATE: 7/5/16	SHEET 1 OF 2
NORTHLAKE BOULEVARD PE 253	



THIS SKETCH IS NOT A SURVEY



BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 901 NORTHPOINT PARKWAY, SUITE 305, W.P.B., FL 33407
 (561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY
 LEGAL DESCRIPTION

DRAWN: MDB	PROJ. No. 04-032
CHECKED: TB	SCALE: 1"=100'
DATE: 7/5/16	SHEET 2 OF 2

NORTHLAKE BOULEVARD
 PE 253

EXHIBIT “B”

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as “The Florida Greenbook”), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County’s Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County’s residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this project is in conformance with Palm Beach County’s 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR PERMANENT EASEMENT PARCEL 253

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale and install a ditch bottom inlet to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that is discharged to a proposed pond which has a legal positive outfall to the Indian Trail Improvement District Canal.

RESOLUTION NO. R-2022 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 305, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE 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 a temporary construction easement, designated as Parcel 305, on property described on **Exhibit "A"** to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of a temporary construction easement designated as Parcel 305; 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 Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the construction and improvement of the Project, and determining the Project's location including Parcel 305, 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 Parcel 305 is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and duration of Parcel 305 is more fully described in **Exhibit "B"**; and

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

WHEREAS, the temporary construction easement on 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 305, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, 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, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or 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, using outside counsel to the extent they deem appropriate, 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 temporary construction easement, designated as Parcel 305 on property described in **Exhibit "A"**, is to be used for the following public use and purpose: a temporary construction easement necessary for the construction and improvement of Northlake Boulevard, east of Seminole Pratt Whitney Road to east of Hall 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 Robert S. Weinroth, Mayor _____
- Commissioner Gregg K. Weiss, Vice Mayor _____
- Commissioner Maria G. Marino _____
- Commissioner Dave Kerner _____
- Commissioner Maria Sachs _____
- Commissioner Melissa McKinlay _____
- Commissioner Mack Bernard _____

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT & COMPTROLLER

BY: _____ Assistant County Attorney

BY: _____ Deputy Clerk

APPROVED AS TO TERMS AND CONDITION

BY:  Division Director

EXHIBIT A
TCE 305

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF THE EAST 3733.00 FEET OF SAID SECTION 18 (AS MEASURED ALONG THE SOUTH SECTION LINE), WITH A LINE LYING 30.00 FEET SOUTH OF (MEASURED PERPENDICULAR), AND PARALLEL WITH, THE SOUTH LINE OF A PALM BEACH COUNTY ROAD EASEMENT FOR NORTHLAKE BOULEVARD, RECORDED IN OFFICIAL RECORD BOOK 7693, PAGE 1535, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID PARALLEL LINE, N88°47'17"E FOR 40.69 FEET;


THENCE S01°12'43"E FOR 15.00 FEET;

THENCE S88°47'17"W FOR 40.00 FEET TO THE SAID WEST LINE OF THE EAST 3733.00 FEET OF SECTION 18;

THENCE ALONG SAID WEST LINE, N03°50'06"W FOR 15.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 605 SQUARE FEET (0.014 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. 4826
DATE: 7/22/19

REVISIONS:

3/21/19: PBC 2/25/19 & 3/20/19 COMMENTS

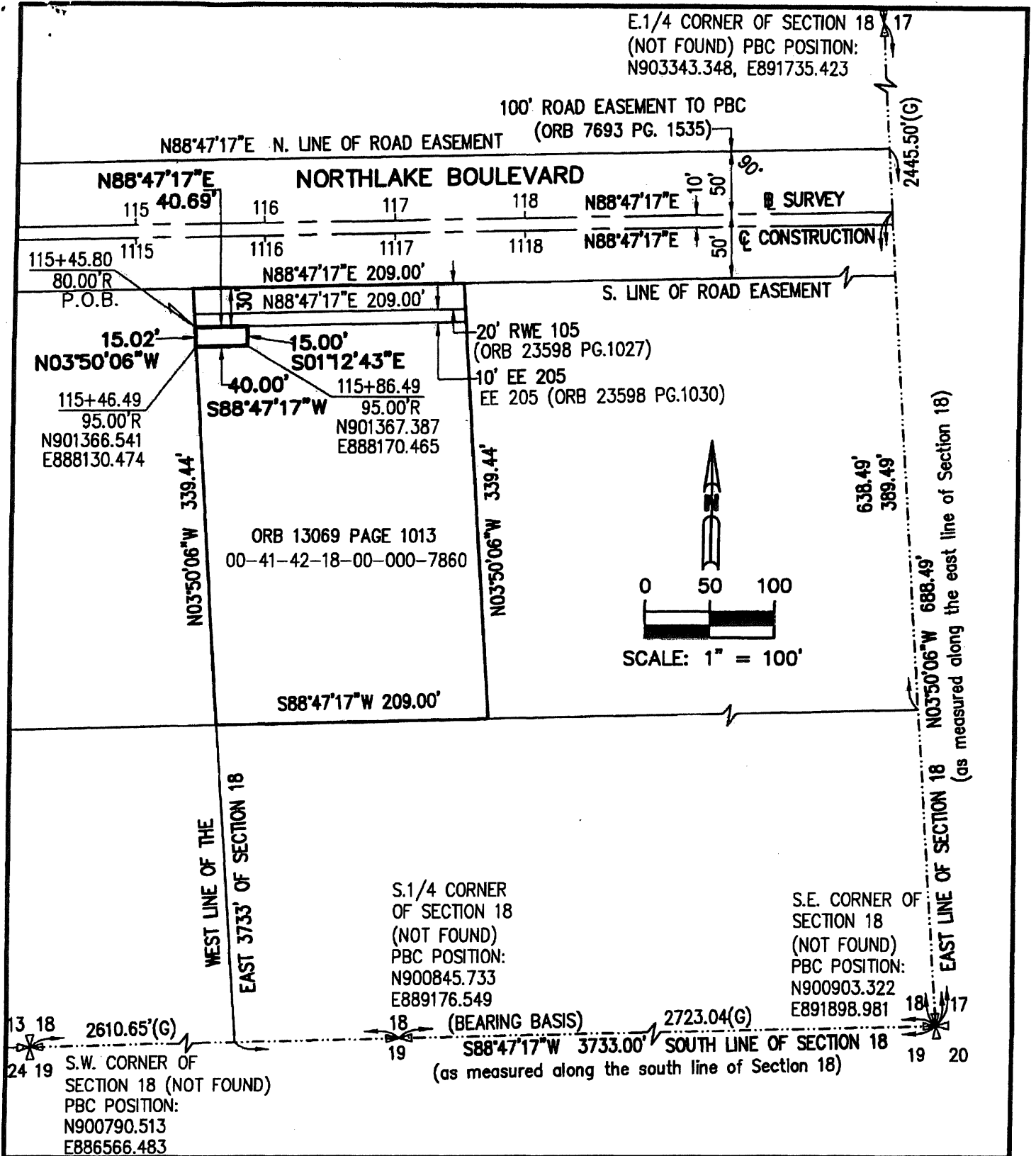



E-Mail: info@brown-phillips.com

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

PALM BEACH COUNTY PROJECT No.2003503A
NORTHLAKE BOULEVARD-TCE 305
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 17-078
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 09/17/18
	SHEET 1 OF 3



 <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>	E-Mail: info@brown-phillips.com	
	PALM BEACH COUNTY PROJECT No.2003503A NORHLAKE BOULEVARD-TCE 305 (THIS SKETCH IS NOT A SURVEY)	
	DRAWN: MDB	PROJ. No. 17-078
	CHECKED: JEP	SCALE: 1" = 100'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		DATE: 09/17/18 SHEET 2 OF 3

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR NORTHLAKE BOULEVARD, PREPARED BY METRIC ENGINEERING, PALM BEACH COUNTY PROJECT No.2003503A.
- 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 - 1.0000049
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) THIS DESCRIPTION IS BASED ON INFORMATION FURNISHED BY THE PALM BEACH COUNTY ROADWAY PRODUCTION DEPARTMENT.
NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 4) ABBREVIATIONS:

ORB - OFFICIAL RECORD BOOK	STA - STATION
P.O.C.- POINT OF COMMENCEMENT	R - RIGHT OF BASELINE
P.O.B. - POINT OF BEGINNING	L - LEFT OF BASELINE
R/W - RIGHT-OF-WAY	RPB - ROAD PLAT BOOK
CL - CENTERLINE	TCE - TEMPORARY CONSTRUCTION EASEMENT
BL - BASELINE	PE - PERMANENT EASEMENT
PBC - PALM BEACH COUNTY	EE - EMBANKMENT EASEMENT
(M) - MEASURED DIMENSION	DE - DRAINAGE EASEMENT
(C) - CALCULATED DIMENSION	RWE - RIGHT-OF-WAY EASEMENT
(D) - DIMENSION PER RECORDED LEGAL DESCRIPTION NOTED	ITWCD - INDIAN TRAIL WATER CONTROL DISTRICT
(G) - GRID DIMENSION	
- 5) BEARING BASIS: S88°47'17"W (GRID) ALONG THE SOUTH LINE OF SECTION 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST.
- 6) DISTANCES AS SHOWN ALONG SECTION LINES ARE BASED ON A PLOT PLAN FOR ROYAL PALM BEACH COLONY, INC., SECTION 18, T42S, R41E, PALM BEACH COUNTY, FLORIDA, PREPARED BY WOOD, BEARD, AND ASSOCIATES, DWG. NO.7012, DATED 4-70.
REFER TO THE ATTACHED SKETCH TO DETERMINE THE INTENT OF THE DESCRIBED DISTANCES.



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

PALM BEACH COUNTY PROJECT No.2003503A
NORTHLAKE BOULEVARD-TCE 305
 (THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 17-078
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 09/17/18
	SHEET 3 OF 3

EXHIBIT "B"

NORTHLAKE BOULEVARD EAST OF SEMINOLE PRATT WHITNEY ROAD TO EAST OF HALL BOULEVARD PALM BEACH COUNTY PROJECT # 2003503A

SAFETY

Northlake Boulevard, from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project), is a two-lane undivided paved road. This Project, which is approximately 1.03 miles long, will reconstruct the existing roadway and widen it to a six lane divided roadway, over the western portion of the Project, that will transition to a five-lane divided roadway, over the eastern portion of the Project. The acquisition will provide the capacity to expand the five-lane divided eastern portion to a six-lane divided roadway in the future. Four foot wide shoulders and six foot wide sidewalks will be provided on both sides of the roadway. This Project will improve the overall safety for motorists, bicyclists and pedestrians.

The design of the Project is in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of improving this portion of Northlake Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition and construction is budgeted in Palm Beach 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

Northlake Boulevard provides a direct east-west route for vehicles traveling through unincorporated Palm Beach County and the City of Palm Beach Gardens. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this route as a route to be improved to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors.

This portion of Northlake Boulevard is a heavily travelled east-west thoroughfare passing through residential and commercial areas. Alternate routes were considered in lieu of improving Northlake Boulevard. Construction of an alternate east-west route through the Indian Trail Improvement District (ITID) or City of Palm Beach Gardens would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan. The 2045 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

This portion of Northlake Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment and will be mitigated. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Northlake Boulevard within the previously stated project limits:

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 305

This Temporary Construction Easement is needed for access and all related construction activities reasonably required for driveway construction, sloping, tying, grading, and to harmonize the road construction with the adjacent property. These described works to be performed on the above land shall not extend beyond the limits outlined in the legal descriptions of said property attached to the Resolution relating to Parcel 305 as **EXHIBIT A**. This Temporary Construction Easement shall expire upon the earlier of the acceptance of the construction of the Project by the Palm Beach County Board of County Commissioners through the Department of Engineering and Public Works or three (3) years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.