

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 19, 2025 Department: Engineering and Public Works Submitted By: Engineering and Public Works Submitted For: Roadway Production Division	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><input checked="" type="checkbox"/> Consent</td> <td style="width: 50%;"><input type="checkbox"/> Regular</td> </tr> <tr> <td><input type="checkbox"/> Workshop</td> <td><input type="checkbox"/> Public Hearing</td> </tr> </table>	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular				
<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing				

I. EXECUTIVE BRIEF



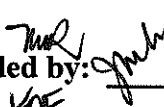

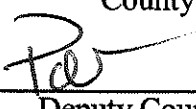
Motion and Title: Staff recommends motion to adopt: eight (8) Resolutions declaring the acquisition of properties designated as Parcels 140, 141, 142, 143, 144, 145, 146 and 147 as fee simple right-of-way and properties designated as Parcels 340, 341, 342, 343, 344, 345, 346 and 347 as temporary construction easements, necessary for the construction of roadway improvements on Old Dixie Highway from Yamato Road to south of Linton 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 16 parcels having a total appraised value of \$179,700. The parcels are necessary to construct a center turn lane, curb and gutter, sidewalks, and provide additional drainage, bridge replacement, drainage retention ponds, and traffic signals for the Project. 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. To date, eminent domain proceedings have been completed for 19 parcels from 15 property owners. After these 16 parcels from eight (8) property owners, acquisition of 52 remaining parcels from 27 property owners is necessary. **This Project is included in the Five-Year Road Program. District 4 (DO)**

Background and Justification: The acquisition of Parcels 140, 141, 142, 143, 144, 145, 146, 147, 340, 341, 342, 343, 344, 345, 346 and 347 is for a public purpose and necessity, which is deemed to be in the best interest of the County. The Engineering and Public Works Department recommends adoption by the Board of County Commissioners (BCC).

Attachments:

1. Location Map
2. Resolution for Parcels 140 and 340 with Exhibit "A" and Exhibit "B" (2)
3. Resolution for Parcels 141 and 341 with Exhibit "A" and Exhibit "B" (2)
4. Resolution for Parcels 142 and 342 with Exhibit "A" and Exhibit "B" (2)
5. Resolution for Parcels 143 and 343 with Exhibit "A" and Exhibit "B" (2)
6. Resolution for Parcels 144 and 344 with Exhibit "A" and Exhibit "B" (2)
7. Resolution for Parcels 145 and 345 with Exhibit "A" and Exhibit "B" (2)
8. Resolution for Parcels 146 and 346 with Exhibit "A" and Exhibit "B" (2)
9. Resolution for Parcels 147 and 347 with Exhibit "A" and Exhibit "B" (2)

 Recommended by:   	County Engineer	23 JULY 2025 Date
Approved by: 	Deputy County Administrator	8/12/25 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	\$179,700	-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	\$179,700	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget?

Yes ☒ No ☐

Is this item using Federal Funds?

Yes ☐ No ☒

Is this item using State Funds?

Yes ☐ No ☒

Budget Account No: Fund 3505 Dept 361 Unit 1428 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Zone 5/Old Dixie Hwy from Yamato Rd to Linton Blvd

PCL NO.	LOCATION	PCN	TYPE	VALUE	TOTAL	ASSET NO.
140	101 DOVER ST BOCA RATON	06-43-47-05-02-011-0010	ROW	\$18,300	\$18,300	ML10343
141	101 DOVER ST BOCA RATON	06-43-47-05-02-011-0020	ROW	\$16,400	\$16,400	ML10344
142	6520 N DIXIE HWY	06-43-47-05-02-011-0030	ROW	\$24,400	\$24,400	ML10345
143	6540 N DIXIE HWY	06-43-47-05-02-011-0040	ROW	\$20,100	\$20,100	ML10346
144	6560 N DIXIE HWY	06-43-47-05-02-011-0050	ROW	\$28,500	\$14,250	ML10347
144	6580 N DIXIE HWY	06-43-47-05-02-011-0060	ROW	\$28,500	\$14,250	ML10348
145	101 COVENTRY ST	06-43-47-05-02-012-0010	ROW	\$18,500	\$18,500	ML10349
146	6620 N DIXIE HWY	06-43-47-05-02-012-0020	ROW	\$17,500	\$17,500	ML10350
147	6640 N DIXIE HWY	06-43-47-05-02-012-0030	ROW	\$16,800	\$16,800	ML10351
340	101 DOVER ST BOCA RATON	06-43-47-05-02-011-0010	TCE	\$1,600	\$1,600	n/a
341	101 DOVER ST BOCA RATON	06-43-47-05-02-011-0020	TCE	\$3,200	\$3,200	↓
342	6520 N DIXIE HWY	06-43-47-05-02-011-0030	TCE	\$2,900	\$2,900	↓
343	6540 N DIXIE HWY	06-43-47-05-02-011-0040	TCE	\$2,100	\$2,100	↓
344	6560 N DIXIE HWY	06-43-47-05-02-011-0050	TCE	\$3,700	\$1,850	↓
344	6580 N DIXIE HWY	06-43-47-05-02-011-0060	TCE	\$3,700	\$1,850	↓
345	101 COVENTRY ST	06-43-47-05-02-012-0010	TCE	\$1,500	\$1,500	↓
346	6620 N DIXIE HWY	06-43-47-05-02-012-0020	TCE	\$2,100	\$2,100	↓
347	6640 N DIXIE HWY	06-43-47-05-02-012-0030	TCE	\$2,100	\$2,100	↓

\$179,700 Assets Reserved
Pending BCC approval.

Impact Fee Project Description: This Resolution to initiate eminent domain proceedings is necessary to undertake right-of-way acquisition for the widening of Old Dixie Highway, between Yamato Rd. and Linton Blvd. The widening will be from 2 lanes to 3 lanes which will provide additional roadway capacity needed to serve new development within Impact Fee Zone 5. Use of Impact Fees is in accordance with Article 13, Chapter A, Section 9 and Chapter H, Section 4 of the ULDC.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

Lisa Mart 7/20/2025
MO 7/28 OFMB JAM 7/27 QA 7/28

Brenda Gnacko 05 7/29/25
Contract Dev. and Control 7/27 7.28.25

B. Approved as to Form and Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment. 2

Location Map

4

N Dixie Hwy

Coventry St

Dover St

Parcel
• RW 147

Parcel
• TCE 347

Parcel
• RW 146

Parcel
• TCE 346

Parcel
• RW 145

Parcel
• TCE 345

Parcel
• RW 144

Parcel
• TCE 344

Parcel
• RW 143

Parcel
TCE 343

Parcel
• RW 142

Parcel
• TCE 342

Parcel
• RW 141

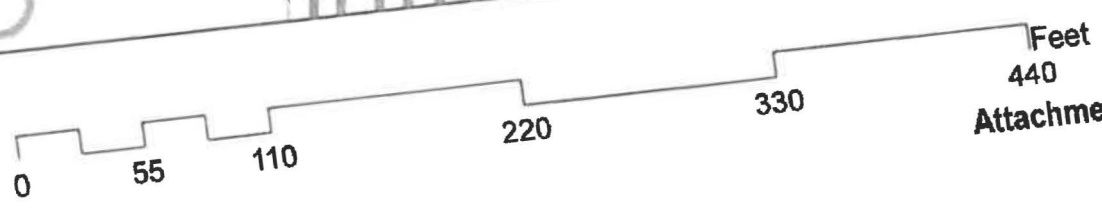
Parcel
• TCE 341

Parcel
• RW 140

Parcel
• TCE 340



Document Path: N:\R_O_W\Dauren Rossi\TEMPLATE\Location_Map_Proj\Old Dixie Hwy, Project No. 2014500_Phase_4.mxd



RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 140, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 340, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 140 and 340, respectively, both described in Exhibit "A", to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 140 and 340, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project's location, including Parcels 140 and 340, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 140 and 340, respectively, both of which are more fully described in Exhibit "A", 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 Parcels 140 and 340 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 fee simple right-of-way and a 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 are 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 140 and 340, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit "A"** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit "A"** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

By:  _____
KOF Division Director
Tus

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 1, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE WEST LINE OF SAID LOT 1, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 40.44 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE NORTH LINE OF SAID LOT 1, N89°09'20"E FOR 6.28 FEET;
THENCE S07°44'55"W FOR 40.44 FEET TO THE SOUTH LINE OF SAID LOT 1;
THENCE ALONG SAID SOUTH LINE OF LOT 1, S89°09'20"W FOR 6.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 251 SQUARE FEET (0.006 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

John E Phillips
Digitally signed by John E Phillips
Date: 2023.08.23 09:04:53 -04'00'
JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE:

REVISIONS:

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

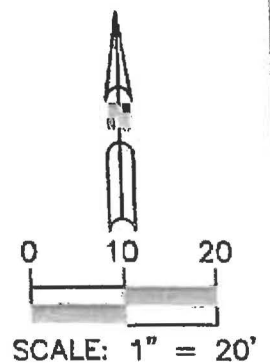



E-Mail: info@brown-phillips.com

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

**OLD DIXIE HIGHWAY
R/W PARCEL 140
(THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



 E-Mail: info@brown-phillips.com
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OLD DIXIE HIGHWAY
R/W PARCEL 140
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15--026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

**EXHIBIT A
PBC PROJECT NO.2014500**

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD '83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.0000458
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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:

P.B. - PLAT BOOK	'L - LEFT OF CENTERLINE OF CONSTRUCTION
RPB - ROAD PLAT BOOK	'R - RIGHT OF CENTERLINE OF CONSTRUCTION
ORB - OFFICIAL RECORD BOOK	(P) - PLAT DIMENSION
PG. - PG.	(C) - CALCULATED DIMENSION
DWG. - DRAWING	(RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119
SEC. - SECTION	U.E. - UTILITY EASEMENT
5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST	D.E. - DRAINAGE EASEMENT
HWY. - HIGHWAY	TCE - TEMPORARY CONSTRUCTION EASEMENT
ℓ - BASELINE	PBC - PALM BEACH COUNTY
℄ - CENTERLINE	PCN - PARCEL CONTROL NUMBER
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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 WEST PALM BEACH, FLORIDA 33409
 TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY
 R/W PARCEL 140
 (THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 1, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE NORTH LINE OF SAID LOT 1, N89°09'20"E FOR 6.28 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 40.44 FEET TO THE SOUTH LINE OF SAID LOT 1;
THENCE ALONG SAID SOUTH LINE OF LOT 1, N89°09'20"E FOR 2.02 FEET;
THENCE N07°44'55"E FOR 40.44 FEET TO THE SAID NORTH LINE OF LOT 1;
THENCE ALONG SAID NORTH LINE OF LOT 1, S89°09'20"W FOR 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 81 SQUARE FEET (0.0019 ACRES), MORE OR LESS..

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

John E Phillips

Digitally signed by John E Phillips
Date: 2023.08.23 09:24:15 -04'00'

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

REVISIONS:

8/22/23: PBC 8/16/23 COMMENTS

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1



E-Mail: info@brown-phillips.com

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WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY
TCE 340**
(THIS IS NOT A SURVEY)

DRAWN: MDB

PROJ. No. 15-026

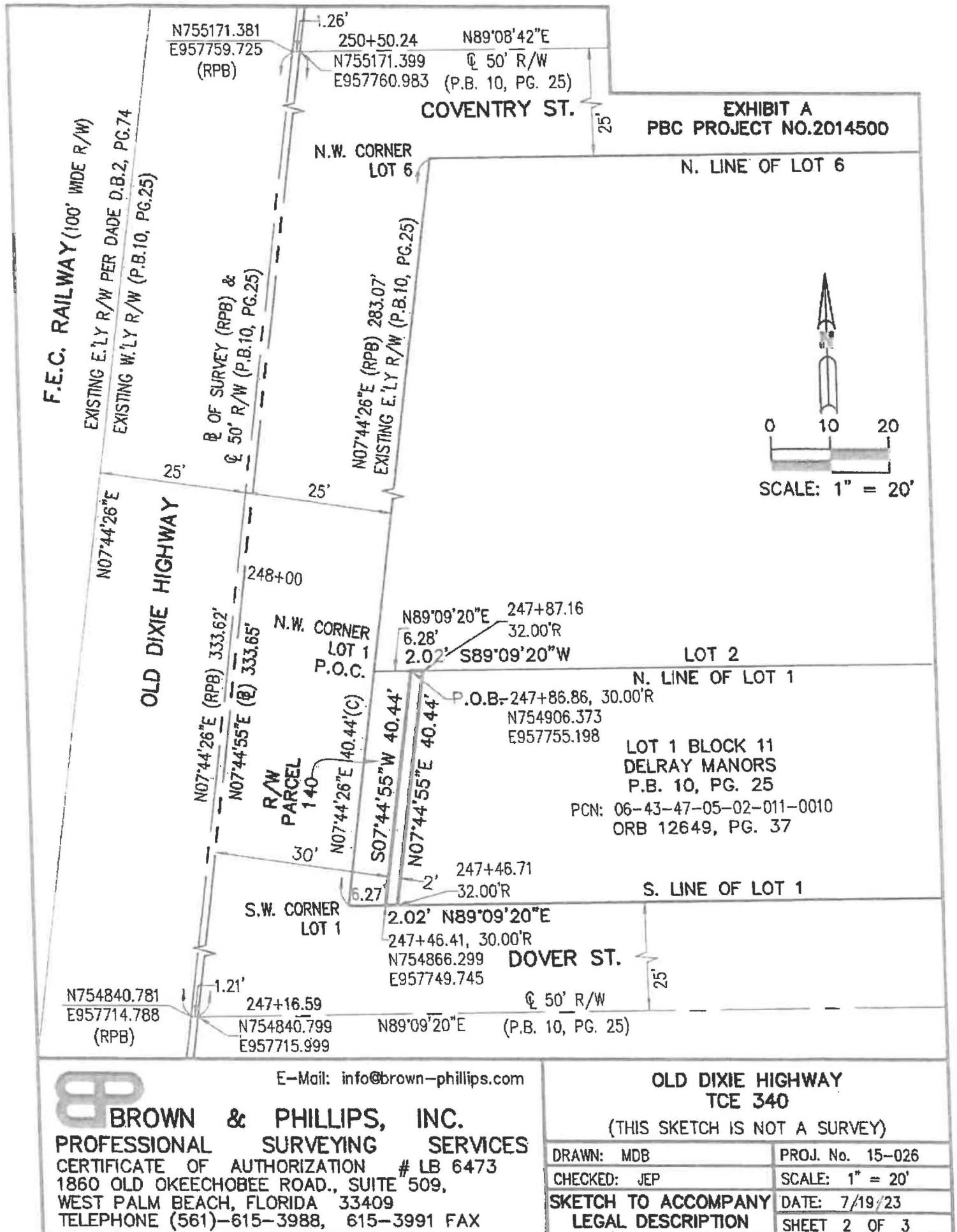
CHECKED: JEP

SCALE: NONE

LEGAL DESCRIPTION

DATE: 7/19/23

SHEET 1 OF 3



**EXHIBIT A
PBC PROJECT NO.2014500**

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
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D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
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DWG. - DRAWING	(RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119
SEC. - SECTION	U.E. - UTILITY EASEMENT
5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST	D.E. - DRAINAGE EASEMENT
HWY. - HIGHWAY	TCE - TEMPORARY CONSTRUCTION EASEMENT
℄ - BASELINE	PBC - PALM BEACH COUNTY
℄ - CENTERLINE	PCN - PARCEL CONTROL NUMBER
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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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

**OLD DIXIE HIGHWAY
TCE 340**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT “B”

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 140

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 140 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 140.

Palm Beach County shall acquire Parcel 140 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 340

This Temporary Construction Easement is needed for access and all related construction activities reasonably required for construction, sloping, tying, grading, and to harmonize the road construction with the adjacent property. These described works to be performed on Parcel 340 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 340. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 340 shall be non-exclusive. However, all interests in Parcel 340 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 340.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 141, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 341, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 141 and 341, respectively, both described in Exhibit “A”, to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 141 and 341, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project’s location, including Parcels 141 and 341, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 141 and 341, respectively, both of which are more fully described in Exhibit “A”, 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 Parcels 141 and 341 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 fee simple right-of-way and a 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 are 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 141 and 341, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit "A"** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit "A"** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

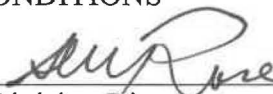
By:  _____
Division Director
pas

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 2, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE WEST LINE OF SAID LOT 2, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 50.55 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE NORTH LINE OF SAID LOT 2, N89°09'20"E FOR 6.28 FEET;
THENCE S07°44'55"W FOR 50.55 FEET TO THE SOUTH LINE OF SAID LOT 2;
THENCE ALONG SAID SOUTH LINE OF LOT 2, S89°09'20"W FOR 6.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 314 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

Digitally signed by John E Phillips
Date: 2023.08.23 09:07:01 -04'00'

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

REVISIONS:

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

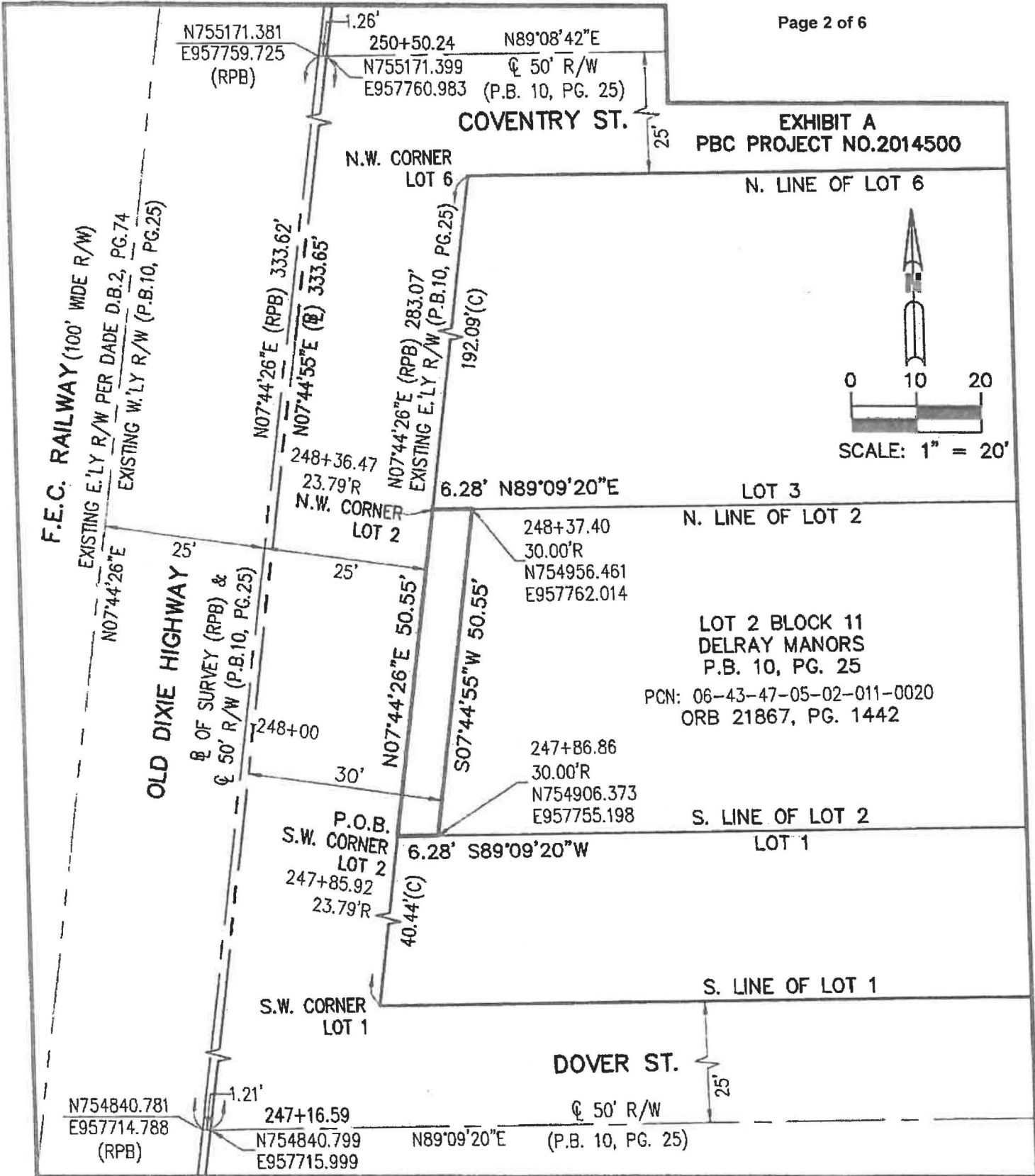


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BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY
R/W PARCEL 141
(THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



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OLD DIXIE HIGHWAY
R/W PARCEL 141
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

Exhibit A

Page 3 of 6

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 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, UNLESS NOTED OTHERWISE
 - H. SCALE FACTOR - 1.0000458
 - I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 - J. ROTATION EQUATION: NONE
- 3) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
 - P.B. - PLAT BOOK
 - RPB - ROAD PLAT BOOK
 - ORB - OFFICIAL RECORD BOOK
 - PG. - PG.
 - DWG. - DRAWING
 - SEC. - SECTION
 - 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST
 - HWY. - HIGHWAY
 - ℔ - BASELINE
 - ℄ - CENTERLINE
 - 'L - LEFT OF CENTERLINE OF CONSTRUCTION
 - 'R - RIGHT OF CENTERLINE OF CONSTRUCTION
 - (P) - PLAT DIMENSION
 - (C) - CALCULATED DIMENSION
 - (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119
 - U.E. - UTILITY EASEMENT
 - D.E. - DRAINAGE EASEMENT
 - TCE - TEMPORARY CONSTRUCTION EASEMENT
 - PBC - PALM BEACH COUNTY
 - PCN - PARCEL CONTROL NUMBER
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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

OLD DIXIE HIGHWAY
R/W PARCEL 141
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 2, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE NORTH LINE OF SAID LOT 2, N89°09'20"E FOR 6.28 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 50.55 FEET TO THE SOUTH LINE OF SAID LOT 2;
THENCE ALONG SAID SOUTH LINE OF LOT 2, N89°09'20"E FOR 2.53 FEET;
THENCE N07°44'55"E FOR 50.55 FEET TO THE SAID NORTH LINE OF LOT 2;
THENCE ALONG SAID NORTH LINE OF LOT 2, S89°09'20"W FOR 2.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 126 SQUARE FEET (0.003 ACRES), MORE OR LESS..

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

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

Digitally signed by John E Phillips
Date: 2023.08.23 09:24:57 -04'00'

REVISIONS:

8/22/23: PBC 8/16/23 COMMENTS

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

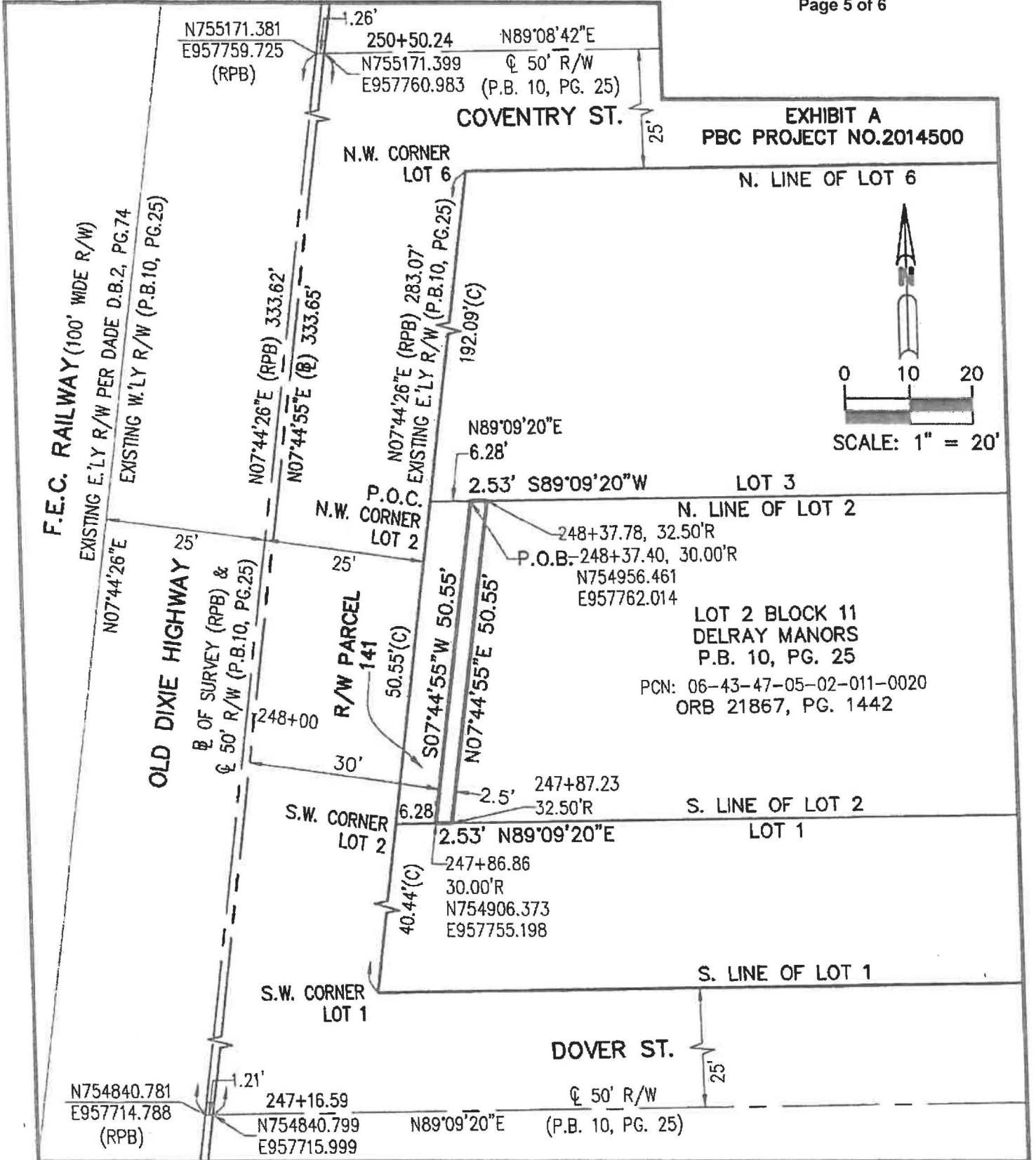
TELEPHONE (561)-615-3988, 615-3991 FAX

OLD DIXIE HIGHWAY

TCE 341

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



B BROWN & PHILLIPS, INC.
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**OLD DIXIE HIGHWAY
TCE 341**
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
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- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
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- | | |
|---|---|
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**OLD DIXIE HIGHWAY
TCE 341**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT "B"

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

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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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 141

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 141 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 141.

Palm Beach County shall acquire Parcel 141 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 341

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 Parcel 341 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 341. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 341 shall be non-exclusive. However, all interests in Parcel 341 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 341.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 142, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 342, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 142 and 342, respectively, both described in **Exhibit “A”**, to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 142 and 342, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project’s location, including Parcels 142 and 342, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 142 and 342, respectively, both of which are more fully described in **Exhibit “A”**, 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 Parcels 142 and 342 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 fee simple right-of-way and a 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 are 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 142 and 342, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit "A"** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit "A"** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

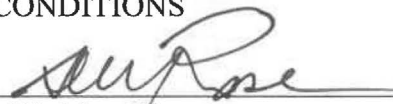

By:  _____
Division Director


EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 3, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE WEST LINE OF SAID LOT 3, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 50.55 FEET TO THE NORTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE NORTH LINE OF SAID LOT 3, N89°09'20"E FOR 6.29 FEET;
THENCE S07°44'55"W FOR 50.55 FEET TO THE SOUTH LINE OF SAID LOT 3;
THENCE ALONG SAID SOUTH LINE OF LOT 3, S89°09'20"W FOR 6.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 314 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.


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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

Digitally signed by John E Phillips
Date: 2023.08.23 09:07:43 -04'00'

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

REVISIONS:

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

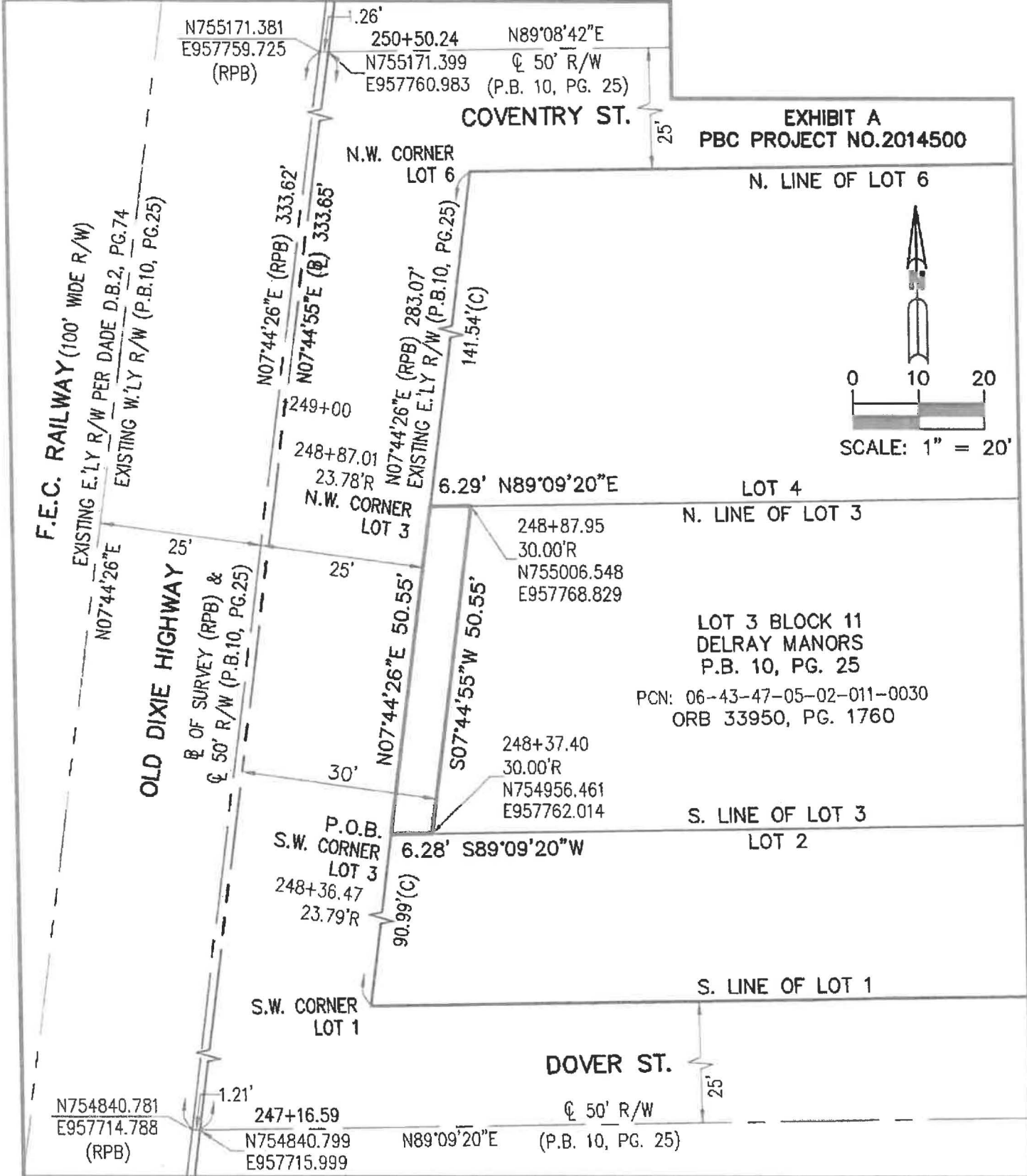
CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

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

OLD DIXIE HIGHWAY R/W PARCEL 142 (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
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OLD DIXIE HIGHWAY R/W PARCEL 142 (THIS SKETCH IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
- | | |
|---|---|
| P.B. - PLAT BOOK | 'L - LEFT OF CENTERLINE OF CONSTRUCTION |
| RPB - ROAD PLAT BOOK | 'R - RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB - OFFICIAL RECORD BOOK | (P) - PLAT DIMENSION |
| PG. - PG. | (C) - CALCULATED DIMENSION |
| DWG. - DRAWING | (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. - SECTION | U.E. - UTILITY EASEMENT |
| 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. - DRAINAGE EASEMENT |
| HWY. - HIGHWAY | TCE - TEMPORARY CONSTRUCTION EASEMENT |
| BL - BASELINE | PBC - PALM BEACH COUNTY |
| CL - CENTERLINE | PCN - PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



E-Mail: info@brown-phillips.com

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

OLD DIXIE HIGHWAY
R/W PARCEL 142
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 3, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE NORTH LINE OF SAID LOT 3, N89°09'20"E FOR 6.29 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 50.55 FEET TO THE SOUTH LINE OF SAID LOT 3;
THENCE ALONG SAID SOUTH LINE OF LOT 3, N89°09'20"E FOR 2.02 FEET;
THENCE N07°44'55"E FOR 50.55 FEET TO THE SAID NORTH LINE OF LOT 3;
THENCE ALONG SAID NORTH LINE OF LOT 3, S89°09'20"W FOR 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 101 SQUARE FEET (0.002 ACRES), MORE OR LESS..

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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

Digitally signed by John E Phillips
Date: 2023.08.23 09:25:45 -04'00'

REVISIONS:

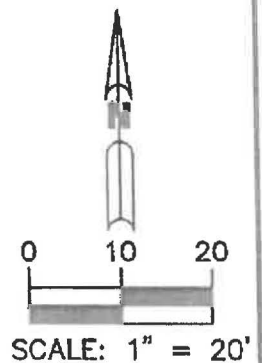
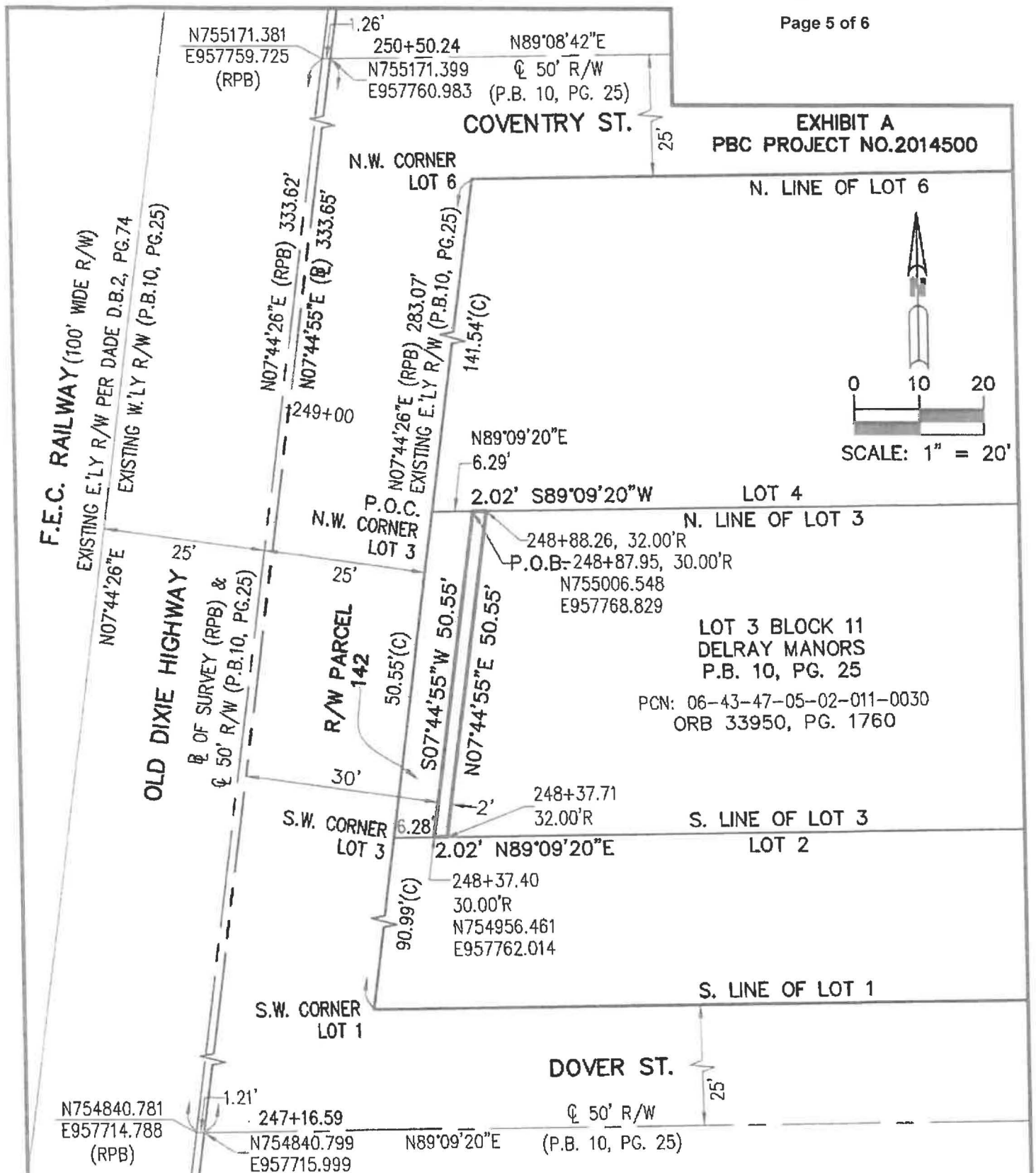
8/22/23: PBC 8/16/23 COMMENTS

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
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TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

OLD DIXIE HIGHWAY TCE 342 (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



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OLD DIXIE HIGHWAY
TCE 342

(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

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- 2) STATE PLANE COORDINATES:
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|---------------------------------------|---|
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| E. COORDINATE SYSTEM 1983 STATE PLANE | J. ROTATION EQUATION: NONE |
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| SEC. – SECTION | U.E. – UTILITY EASEMENT |
| 5/47/43 – SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. – DRAINAGE EASEMENT |
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| ℔ – BASELINE | PBC – PALM BEACH COUNTY |
| ℄ – CENTERLINE | PCN – PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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

**OLD DIXIE HIGHWAY
TCE 342**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT "B"

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

LONG RANGE PLANNING

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ENVIRONMENTAL IMPACTS

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 142

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 142 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 142.

Palm Beach County shall acquire Parcel 142 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 342

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 Parcel 342 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 342. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 342 shall be non-exclusive. However, all interests in Parcel 342 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 342.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 143, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 343, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 143 and 343, respectively, both described in **Exhibit “A”**, to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 143 and 343, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project’s location, including Parcels 143 and 343, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 143 and 343, respectively, both of which are more fully described in **Exhibit “A”**, 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 Parcels 143 and 343 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 fee simple right-of-way and a 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 are 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 143 and 343, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit "A"** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit "A"** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

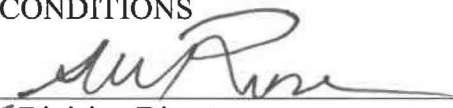

By: 
Division Director


EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 4, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 4;
THENCE ALONG THE WEST LINE OF SAID LOT 4, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 50.55 FEET TO THE NORTHWEST CORNER OF SAID LOT 4;
THENCE ALONG THE NORTH LINE OF SAID LOT 4, N89°09'20"E FOR 6.30 FEET;
THENCE S07°44'55"W FOR 50.55 FEET TO THE SOUTH LINE OF SAID LOT 4;
THENCE ALONG SAID SOUTH LINE OF LOT 4, S89°09'20"W FOR 6.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 315 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

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

Digitally signed by John E Phillips
Date: 2023.08.23 09:08:26 -04'00'

REVISIONS:

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

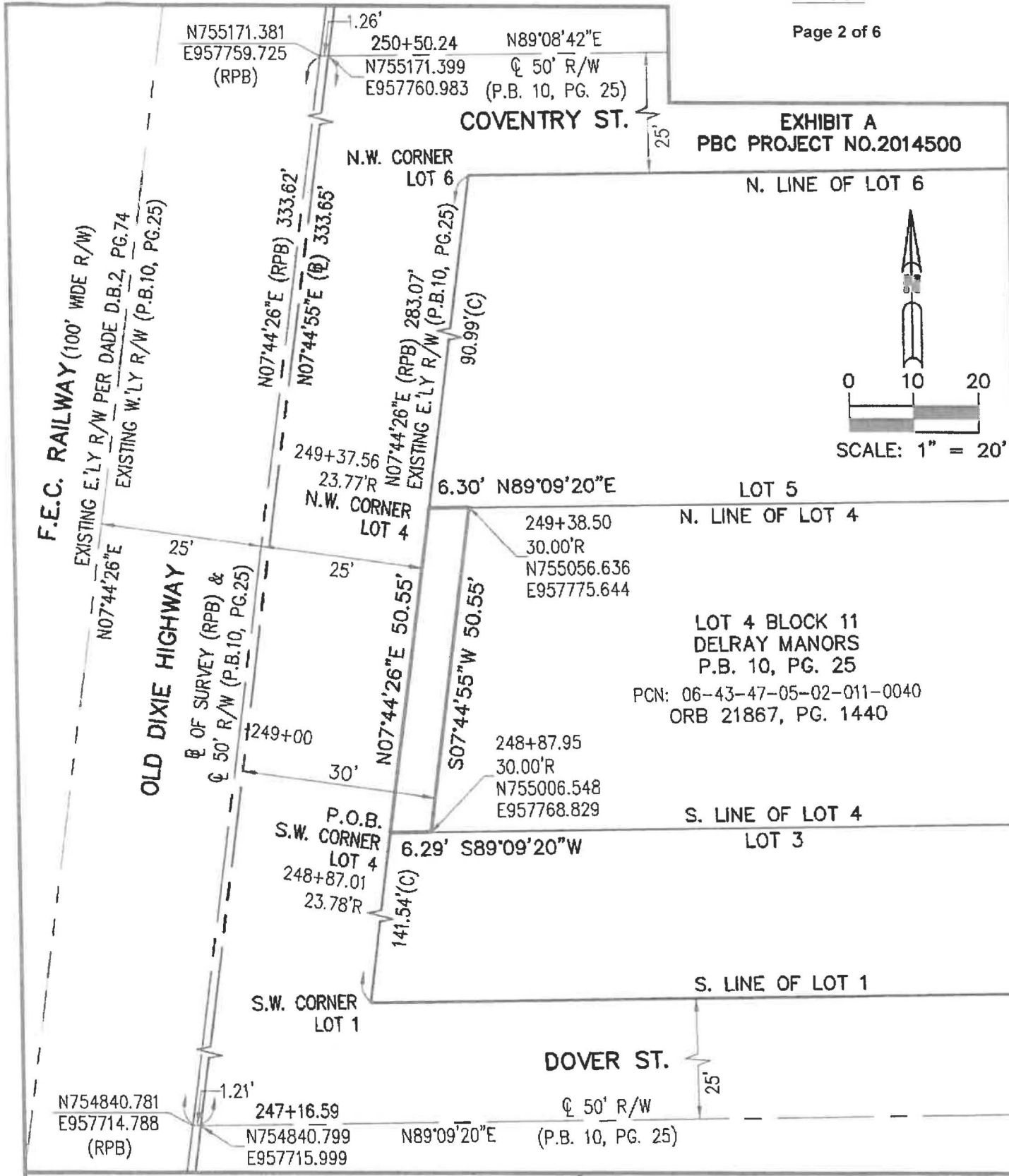


E-Mail: info@brown-phillips.com

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

**OLD DIXIE HIGHWAY
R/W PARCEL 143**
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
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**OLD DIXIE HIGHWAY
R/W PARCEL 143**
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
- | | |
|---|---|
| P.B. - PLAT BOOK | 'L - LEFT OF CENTERLINE OF CONSTRUCTION |
| RPB - ROAD PLAT BOOK | 'R - RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB - OFFICIAL RECORD BOOK | (P) - PLAT DIMENSION |
| PG. - PG. | (C) - CALCULATED DIMENSION |
| DWG. - DRAWING | (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. - SECTION | U.E. - UTILITY EASEMENT |
| 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. - DRAINAGE EASEMENT |
| HWY. - HIGHWAY | TCE - TEMPORARY CONSTRUCTION EASEMENT |
| ℄ - BASELINE | PBC - PALM BEACH COUNTY |
| ℄ - CENTERLINE | PCN - PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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

OLD DIXIE HIGHWAY
R/W PARCEL 143
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 4, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE ALONG THE NORTH LINE OF SAID LOT 4, N89°09'20"E FOR 6.30 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 50.55 FEET TO THE SOUTH LINE OF SAID LOT 4;
THENCE ALONG SAID SOUTH LINE OF LOT 4, N89°09'20"E FOR 2.02 FEET;
THENCE N07°44'55"E FOR 50.55 FEET TO THE SAID NORTH LINE OF LOT 4;
THENCE ALONG SAID NORTH LINE OF LOT 4, S89°09'20"W FOR 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 101 SQUARE FEET (0.002 ACRES), MORE OR LESS..

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.


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

Digitally signed by John E Phillips
Date: 2023.08.23 09:26:33 -04'00'

REVISIONS:

8/22/23: PBC 8/16/23 COMMENTS

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

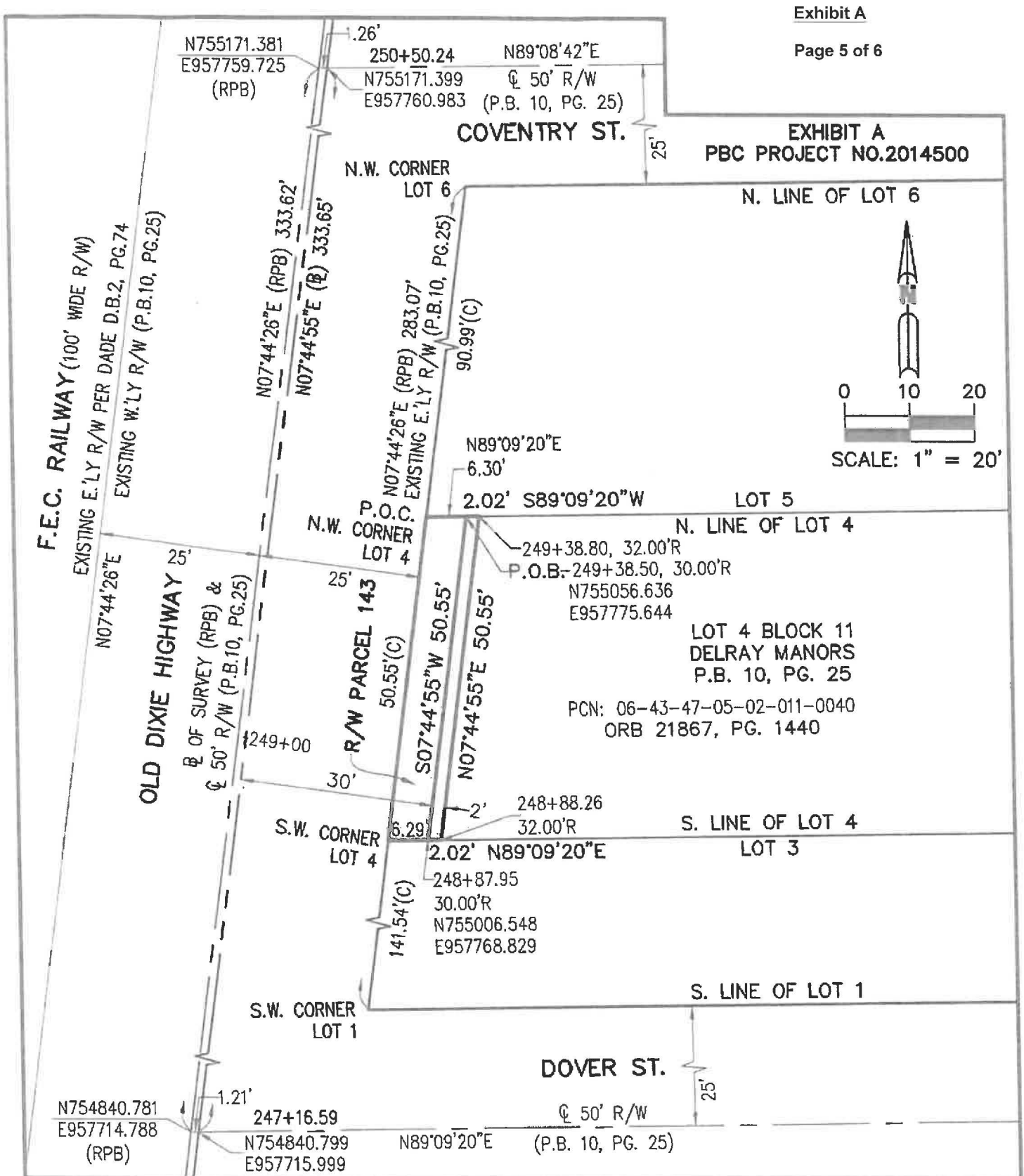
CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

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

OLD DIXIE HIGHWAY TCE 343 (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



BROWN & PHILLIPS, INC.
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OLD DIXIE HIGHWAY
TCE 343
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
- | | |
|---|---|
| P.B. - PLAT BOOK | 'L - LEFT OF CENTERLINE OF CONSTRUCTION |
| RPB - ROAD PLAT BOOK | 'R - RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB - OFFICIAL RECORD BOOK | (P) - PLAT DIMENSION |
| PG. - PG. | (C) - CALCULATED DIMENSION |
| DWG. - DRAWING | (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. - SECTION | U.E. - UTILITY EASEMENT |
| 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. - DRAINAGE EASEMENT |
| HWY. - HIGHWAY | TCE - TEMPORARY CONSTRUCTION EASEMENT |
| BL - BASELINE | PBC - PALM BEACH COUNTY |
| CL - CENTERLINE | PCN - PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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

**OLD DIXIE HIGHWAY
TCE 343**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT "B"

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 143

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 143 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 143.

Palm Beach County shall acquire Parcel 143 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 343

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 Parcel 343 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 343. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 343 shall be non-exclusive. However, all interests in Parcel 343 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 343.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 144, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 344, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 144 and 344, respectively, both described in **Exhibit “A”**, to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 144 and 344, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project’s location, including Parcels 144 and 344, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 144 and 344, respectively, both of which are more fully described in **Exhibit “A”**, 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 Parcels 144 and 344 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 fee simple right-of-way and a 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 are 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 144 and 344, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit "A"** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit "A"** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

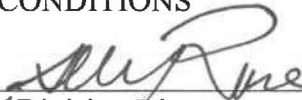

By:  _____
Division Director


EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOTS 5 AND 6, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 6;
THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°09'20"E FOR 6.31 FEET;
THENCE S07°44'55"W FOR 90.99 FEET TO THE SOUTH LINE OF SAID LOT 5;
THENCE ALONG SAID SOUTH LINE OF LOT 5, S89°09'20"W FOR 6.30 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5, AND TO THE EASTERLY RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT;
THENCE ALONG THE WEST LINE OF SAID LOTS 5 AND 6, AND ALONG SAID EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, N07°44'26"E FOR 90.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 567 SQUARE FEET (0.013 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

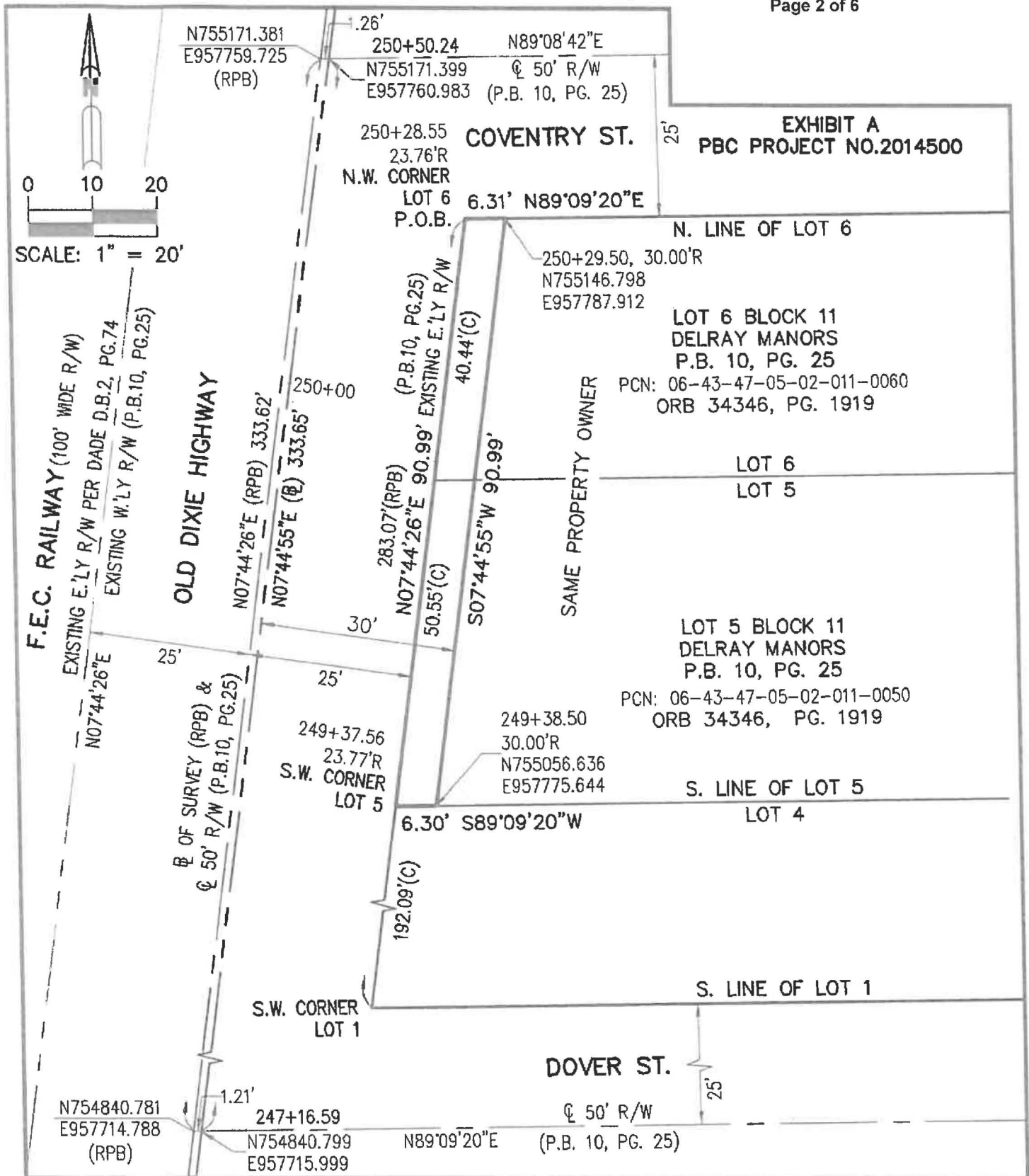
John E Phillips

Digitally signed by John E Phillips
Date: 2023.08.23 09:09:11 -04'00'

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

REVISIONS:
8/22/23: PBC 8/16/23 COMMENTS
8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

 <div>E-Mail: info@brown-phillips.com</div> <div>BROWN & PHILLIPS, INC.</div> <div>PROFESSIONAL SURVEYING SERVICES</div> <div>CERTIFICATE OF AUTHORIZATION # LB 6473</div> <div>1860 OLD OKEECHOBEE ROAD., SUITE 509,</div> <div>WEST PALM BEACH, FLORIDA 33409</div> <div>TELEPHONE (561)-615-3988, 615-3991 FAX</div>	OLD DIXIE HIGHWAY R/W PARCEL 144 (THIS IS NOT A SURVEY)	
	DRAWN: MDB	PROJ. No. 15-026
	CHECKED: JEP	SCALE: NONE
	LEGAL DESCRIPTION	DATE: 7/19/23 SHEET 1 OF 3



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

OLD DIXIE HIGHWAY
R/W PARCEL 144
 (THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
- | | |
|---|---|
| P.B. - PLAT BOOK | 'L - LEFT OF CENTERLINE OF CONSTRUCTION |
| RPB - ROAD PLAT BOOK | 'R - RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB - OFFICIAL RECORD BOOK | (P) - PLAT DIMENSION |
| PG. - PG. | (C) - CALCULATED DIMENSION |
| DWG. - DRAWING | (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. - SECTION | U.E. - UTILITY EASEMENT |
| 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. - DRAINAGE EASEMENT |
| HWY. - HIGHWAY | TCE - TEMPORARY CONSTRUCTION EASEMENT |
| BL - BASELINE | PBC - PALM BEACH COUNTY |
| CL - CENTERLINE | PCN - PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



E-Mail: info@brown-phillips.com

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WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

OLD DIXIE HIGHWAY
R/W PARCEL 144
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOTS 5 AND 6, BLOCK 11, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 6;
THENCE ALONG THE NORTH LINE OF SAID LOT 6, N89°09'20"E FOR 6.31 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE ALONG SAID NORTH LINE OF LOT 6, N89°09'20"E FOR 2.02 FEET;
THENCE S07°44'55"W FOR 90.996 FEET TO THE SOUTH LINE OF SAID LOT 5;
THENCE ALONG SAID SOUTH LINE OF LOT 5, S89°09'20"W FOR 2.02 FEET;
THENCE N07°44'55"E FOR 90.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 182 SQUARE FEET (0.004 ACRES), MORE OR LESS..

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

John E Phillips

Digitally signed by John E Phillips
Date: 2023.08.23 09:27:24 -04'00'

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

REVISIONS:

8/22/23:	PBC 8/16/23 COMMENTS
8/3/23:	SUPPORTING SURVEY NOTE ADDED ON PG.1

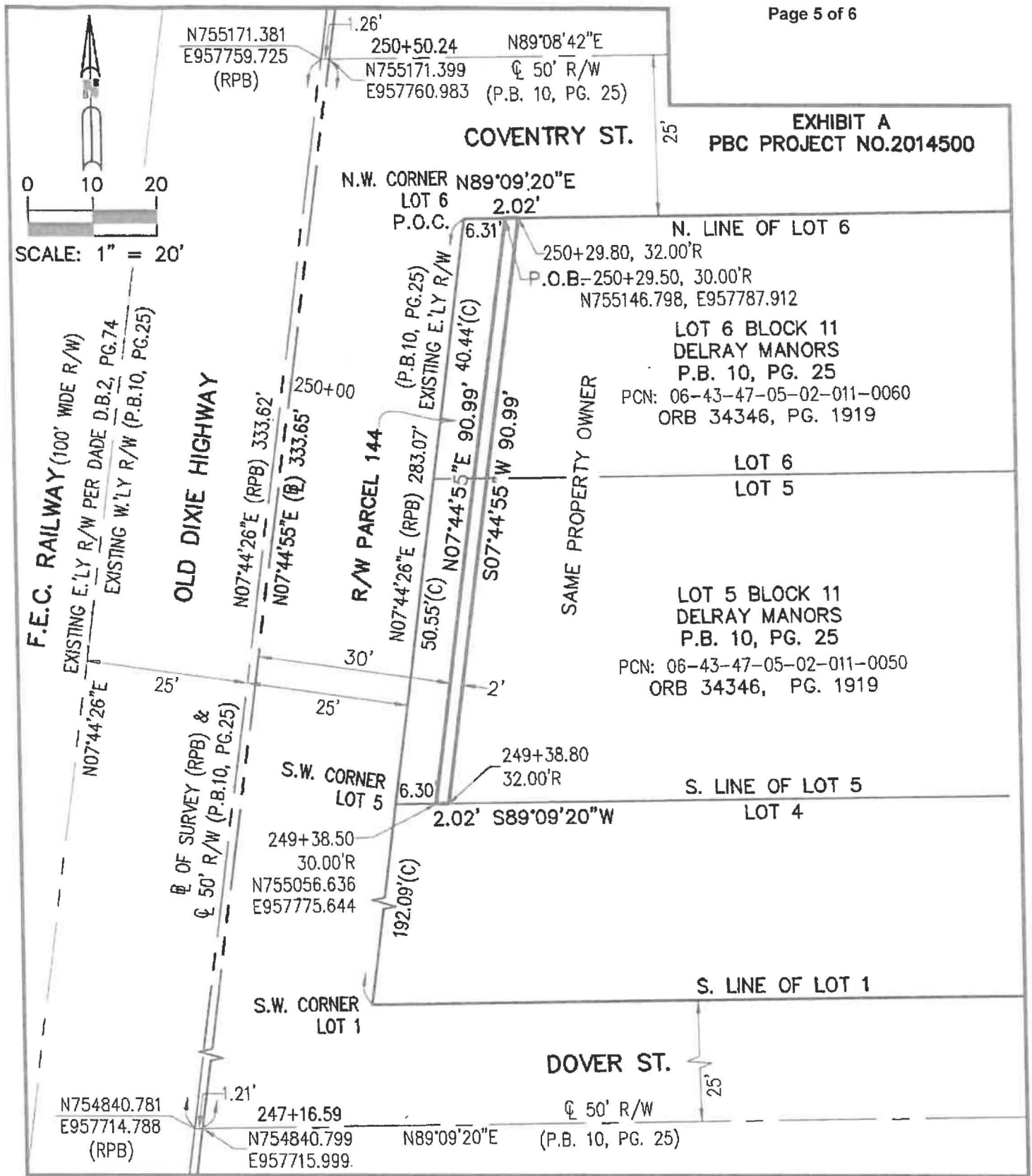


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WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

OLD DIXIE HIGHWAY
TCE 344
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



BROWN & PHILLIPS, INC.
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OLD DIXIE HIGHWAY TCE 344 (THIS SKETCH IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
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- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
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|---|---|
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| RPB - ROAD PLAT BOOK | 'R - RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB - OFFICIAL RECORD BOOK | (P) - PLAT DIMENSION |
| PG. - PG. | (C) - CALCULATED DIMENSION |
| DWG. - DRAWING | (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. - SECTION | U.E. - UTILITY EASEMENT |
| 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. - DRAINAGE EASEMENT |
| HWY. - HIGHWAY | TCE - TEMPORARY CONSTRUCTION EASEMENT |
| ℔ - BASELINE | PBC - PALM BEACH COUNTY |
| ℄ - CENTERLINE | PCN - PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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

**OLD DIXIE HIGHWAY
TCE 344**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT "B"

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 144

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 144 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 144.

Palm Beach County shall acquire Parcel 144 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 344

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 Parcel 344 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 344. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 344 shall be non-exclusive. However, all interests in Parcel 344 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 344.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 145, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 345, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 145 and 345, respectively, both property described in Exhibit "A", to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 145 and 345, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project's location, including Parcels 145 and 345, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 145 and 345, respectively, both of which are more fully described in Exhibit "A", 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 Parcels 145 and 345 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 fee simple right-of-way and a 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 are 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 145 and 345, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit “A”** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit “A”** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

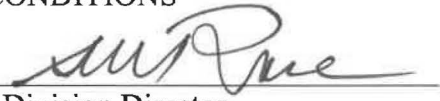

By: 
Division Director


EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 1, BLOCK 12, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE WEST LINE OF SAID LOT 1, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 40.45 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE NORTH LINE OF SAID LOT 1, N89°08'42"E FOR 6.32 FEET;
THENCE S07°44'55"W FOR 34.13 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 16.00 FEET, WHERE A RADIAL LINE BEARS N68°47'37"E;
THENCE SOUTHEASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 27°16'21" FOR 7.62 FEET TO THE SOUTH LINE OF SAID LOT 1;
THENCE ALONG SAID SOUTH LINE OF LOT 1, S89°08'42"W FOR 11.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 267 SQUARE FEET (0.006 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

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

Digitally signed by John E Phillips
Date: 2023.08.23 09:09:55 -04'00'

REVISIONS:

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

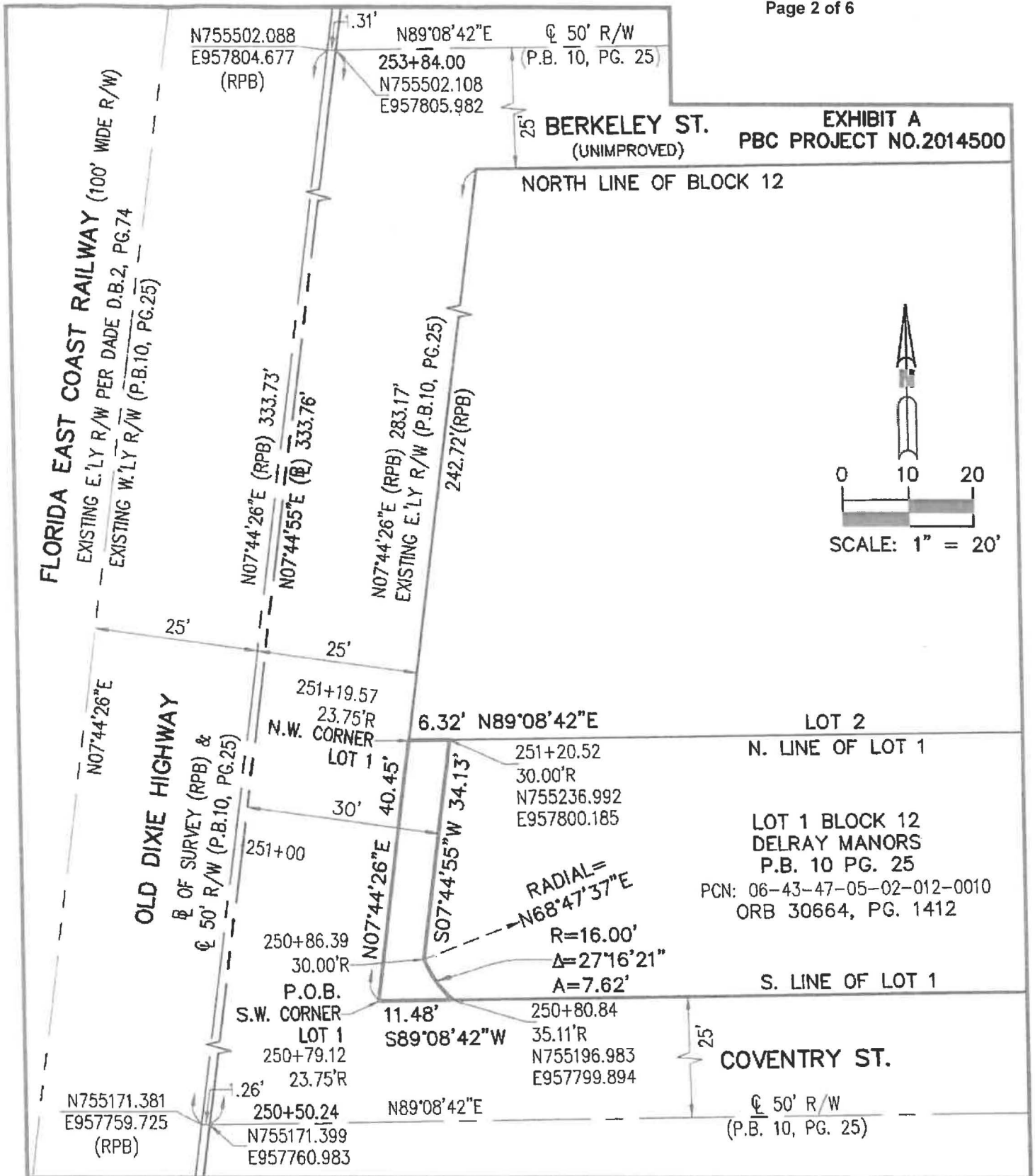


E-Mail: info@brown-phillips.com

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

**OLD DIXIE HIGHWAY
R/W PARCEL 145**
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



E-Mail: info@brown-phillips.com

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R/W PARCEL 145
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
- | | |
|---|---|
| P.B. - PLAT BOOK | 'L - LEFT OF CENTERLINE OF CONSTRUCTION |
| RPB - ROAD PLAT BOOK | 'R - RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB - OFFICIAL RECORD BOOK | (P) - PLAT DIMENSION |
| PG. - PG. | (C) - CALCULATED DIMENSION |
| DWG. - DRAWING | (RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. - SECTION | U.E. - UTILITY EASEMENT |
| 5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. - DRAINAGE EASEMENT |
| HWY. - HIGHWAY | TCE - TEMPORARY CONSTRUCTION EASEMENT |
| BL - BASELINE | PBC - PALM BEACH COUNTY |
| CL - CENTERLINE | PCN - PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



E-Mail: info@brown-phillips.com

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

OLD DIXIE HIGHWAY
R/W PARCEL 145
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 1, BLOCK 12, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE NORTH LINE OF SAID LOT 1, N89°08'42"E FOR 6.32 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 34.13 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 16.00 FEET, WHERE A RADIAL LINE BEARS N68°47'37"E;
THENCE SOUTHEASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°27'17" 3.48 FEET;
THENCE N07°44'55"E FOR 37.27 FEET TO THE SAID NORTH LINE OF LOT 1;
THENCE ALONG SAID NORTH LINE OF LOT 1, S89°08'42"W FOR 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 72 SQUARE FEET (0.002 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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John E Phillips
Digitally signed by John E Phillips
Date: 2023.08.23 09:28:10 -04'00'

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

REVISIONS:

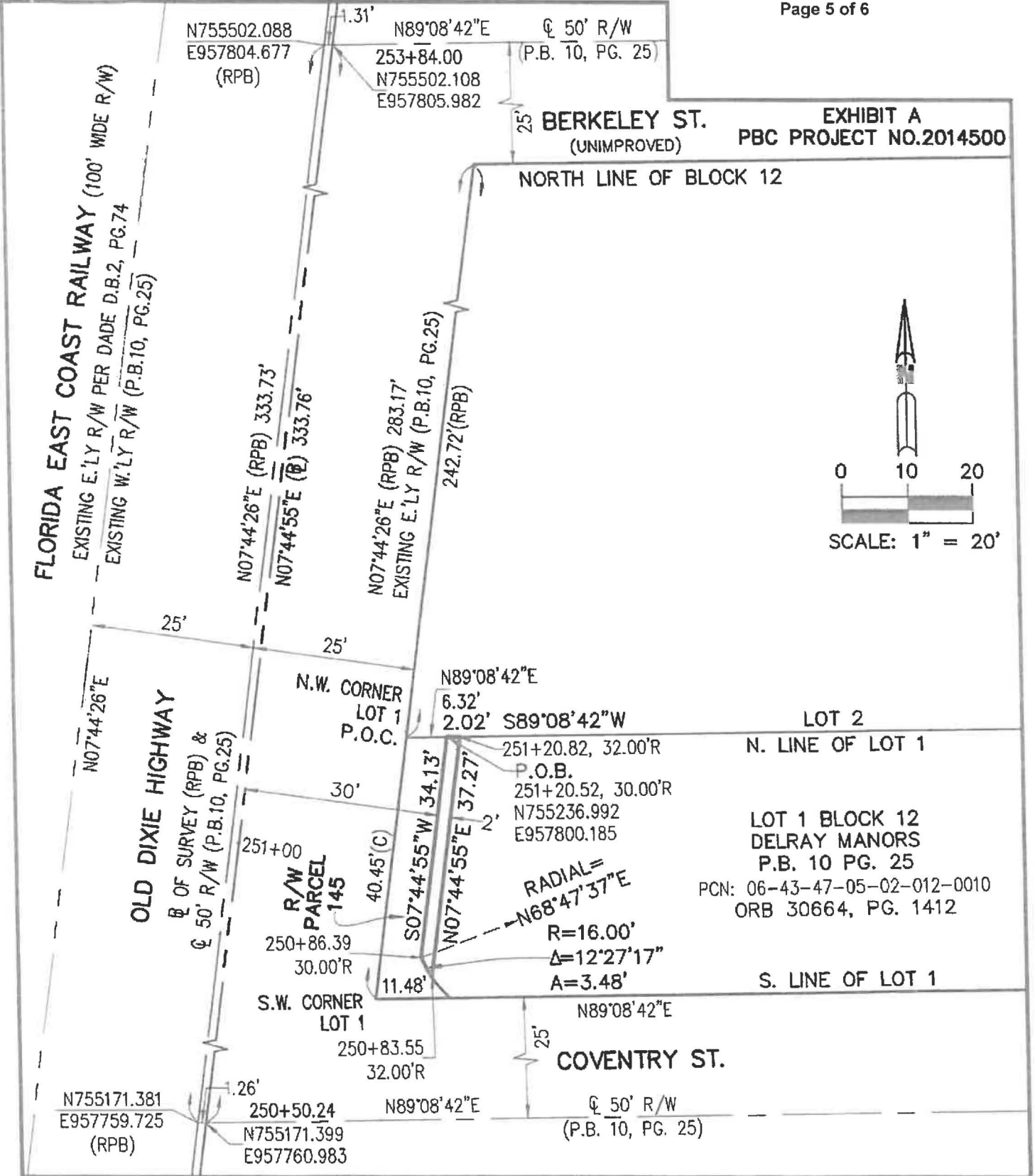
8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1



E-Mail: info@brown-phillips.com
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WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY
TCE 345**
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



E-Mail: info@brown-phillips.com

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**OLD DIXIE HIGHWAY
TCE 345**

(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM – NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE – FLORIDA EAST | H. SCALE FACTOR – 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
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| SEC. – SECTION | U.E. – UTILITY EASEMENT |
| 5/47/43 – SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. – DRAINAGE EASEMENT |
| HWY. – HIGHWAY | TCE – TEMPORARY CONSTRUCTION EASEMENT |
| ℙ – BASELINE | PBC – PALM BEACH COUNTY |
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TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY
TCE 345**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT "B"

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 145

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 145 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 145.

Palm Beach County shall acquire Parcel 145 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 345

This Temporary Construction Easement is needed for access and all related construction activities reasonably required for sloping, tying, grading, and to harmonize the road construction with the adjacent property. These described works to be performed on Parcel 345 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 345. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 345 shall be non-exclusive. However, all interests in Parcel 345 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 345.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 146, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 346, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 146 and 346, respectively, both described in Exhibit "A", to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 146 and 346, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project's location, including Parcels 146 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 fee simple right-of-way and a temporary construction easement designated as Parcels 146 and 346, respectively, both of which are more fully described in Exhibit "A", 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 Parcels 146 and 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 fee simple right-of-way and a 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 are 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 146 and 346, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit “A”** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit “A”** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

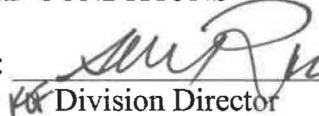
By: 
Division Director
Tus

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 2, BLOCK 12, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE WEST LINE OF SAID LOT 2, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 50.57 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE NORTH LINE OF SAID LOT 2, N89°08'42"E FOR 6.33 FEET;
THENCE S07°44'55"W FOR 50.57 FEET TO THE SOUTH LINE OF SAID LOT 2;
THENCE ALONG SAID SOUTH LINE OF LOT 2, S89°08'42"W FOR 6.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 316 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.


John E Phillips

Digitally signed by John E Phillips
Date: 2023.08.23 09:10:39 -04'00'

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

REVISIONS:

8/22/23: PBC 8/17/23 COMMENTS
8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

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

OLD DIXIE HIGHWAY R/W PARCEL 146 (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



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

(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM – NAD '83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE – FLORIDA EAST | H. SCALE FACTOR – 1.0000458 |
| 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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
- THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
- NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
- | | |
|---|---|
| P.B. – PLAT BOOK | 'L – LEFT OF CENTERLINE OF CONSTRUCTION |
| RPB – ROAD PLAT BOOK | 'R – RIGHT OF CENTERLINE OF CONSTRUCTION |
| ORB – OFFICIAL RECORD BOOK | (P) – PLAT DIMENSION |
| PG. – PG. | (C) – CALCULATED DIMENSION |
| DWG. – DRAWING | (RPB) – DIMENSION PER ROAD PLAT BOOK 12, PAGE 119 |
| SEC. – SECTION | U.E. – UTILITY EASEMENT |
| 5/47/43 – SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST | D.E. – DRAINAGE EASEMENT |
| HWY. – HIGHWAY | TCE – TEMPORARY CONSTRUCTION EASEMENT |
| ℄ – BASELINE | PBC – PALM BEACH COUNTY |
| ℄ – CENTERLINE | PCN – PARCEL CONTROL NUMBER |
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



E-Mail: info@brown-phillips.com

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

OLD DIXIE HIGHWAY
R/W PARCEL 146
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 2, BLOCK 12, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 2;
THENCE ALONG THE NORTH LINE OF SAID LOT 2, N89°08'42"E FOR 6.33 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 50.57 FEET TO THE SOUTH LINE OF SAID LOT 2;
THENCE ALONG SAID SOUTH LINE OF LOT 2, N89°08'42"E FOR 2.02 FEET;
THENCE N07°44'55"E FOR 50.57 FEET TO THE SAID NORTH LINE OF LOT 2;
THENCE ALONG SAID NORTH LINE OF LOT 2, S89°08'42"W FOR 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 101 SQUARE FEET (0.002 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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Digitally signed by John E Phillips
Date: 2023.08.23 09:29:21 -04'00'

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

REVISIONS:

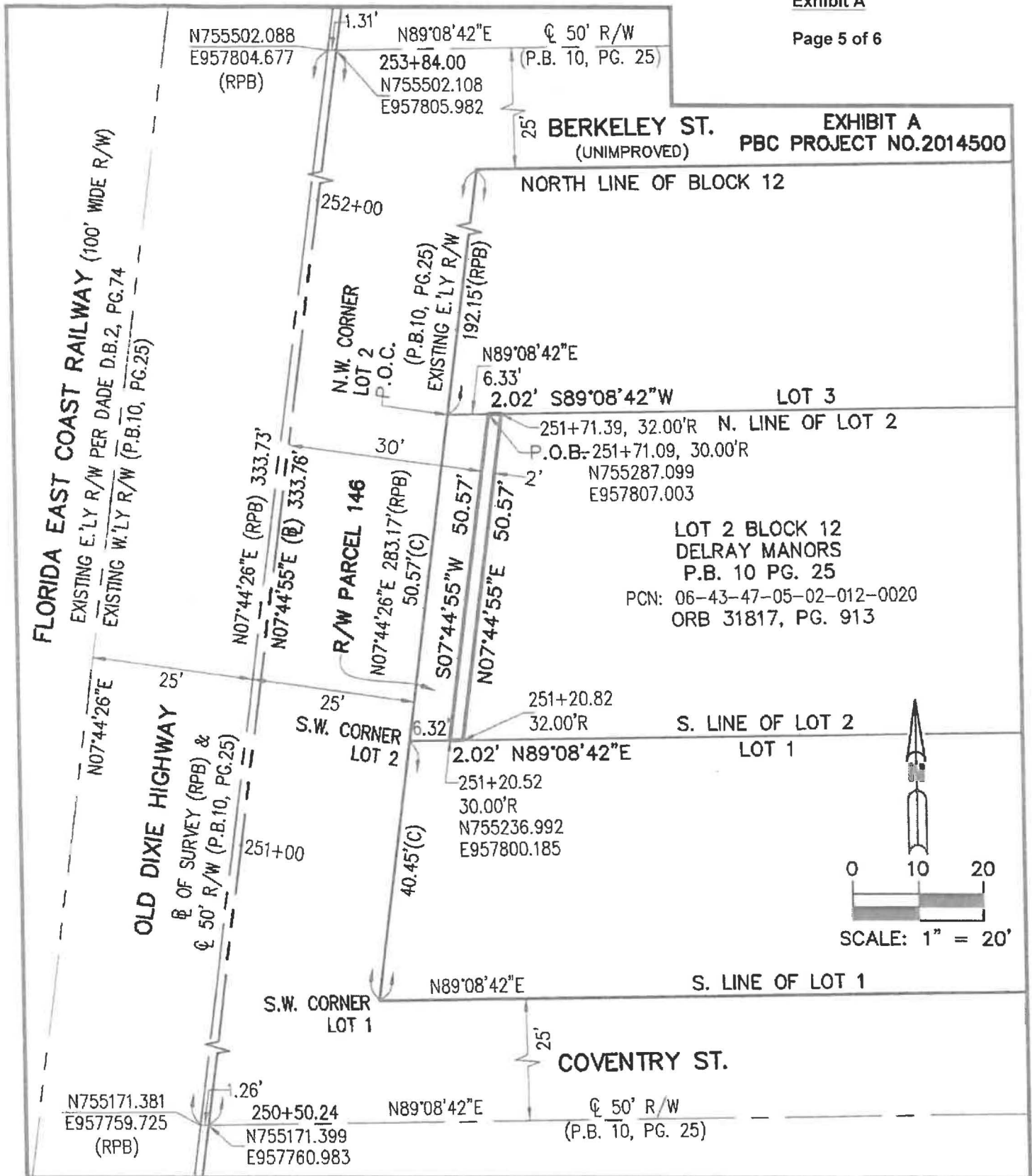
8/22/23: PBC 8/17/23 COMMENTS

8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

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

OLD DIXIE HIGHWAY TCE 346 (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



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**OLD DIXIE HIGHWAY
TCE 346**

(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

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- 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, UNLESS NOTED OTHERWISE

H. SCALE FACTOR – 1.0000458

I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE

J. ROTATION EQUATION: NONE
- 3) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
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ORB – OFFICIAL RECORD BOOK

PG. – PG.

DWG. – DRAWING

SEC. – SECTION

5/47/43 – SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST

HWY. – HIGHWAY

ℙ – BASELINE

℄ – CENTERLINE

'L – LEFT OF CENTERLINE OF CONSTRUCTION

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(P) – PLAT DIMENSION

(C) – CALCULATED DIMENSION

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U.E. – UTILITY EASEMENT

D.E. – DRAINAGE EASEMENT

TCE – TEMPORARY CONSTRUCTION EASEMENT

PBC – PALM BEACH COUNTY

PCN – PARCEL CONTROL NUMBER
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**OLD DIXIE HIGHWAY
TCE 346**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT “B”

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 146

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 146 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 146.

Palm Beach County shall acquire Parcel 146 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

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 Parcel 346 shall not extend beyond the limits outlined in the legal description of said property, as **EXHIBIT A**, attached to the Resolution relating to Parcel 346. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 346 shall be non-exclusive. However, all interests in Parcel 346 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 346.

RESOLUTION NO. R-2025 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY, DESIGNATED AS PARCEL 147, AND A TEMPORARY CONSTRUCTION EASEMENT, DESIGNATED AS PARCEL 347, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON 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 Palm Beach County (County) Engineer recommends the acquisition of fee simple right-of-way and a temporary construction easement, designated as Parcels 147 and 347, respectively, both described in **Exhibit “A”**, to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a temporary construction easement designated as Parcels 147 and 347, respectively; and

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

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

WHEREAS, in determining to proceed with construction and improvement of the Project, and determining the Project’s location, including Parcels 147 and 347, 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 fee simple right-of-way and a temporary construction easement designated as Parcels 147 and 347, respectively, both of which are more fully described in **Exhibit “A”**, 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 Parcels 147 and 347 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 fee simple right-of-way and a 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 are 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 147 and 347, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, 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 fee simple right-of-way and a temporary construction

easement on 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, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in **Exhibit "A"** so long as the property does not change, that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in **Exhibit "A"** is to be used for the following public use and purpose: fee simple right-of-way and a temporary construction easement necessary for the construction and improvement of the Project.

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 Maria G. Marino, Mayor	_____
Commissioner Sara Baxter, Vice Mayor	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Bobby Powell, Jr.	_____

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 CONDITIONS

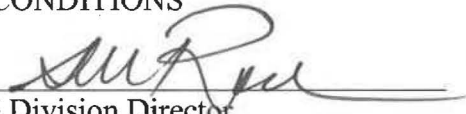
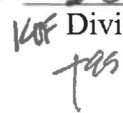
By: 
Division Director


EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 3, BLOCK 12, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE WEST LINE OF SAID LOT 3, AND ALONG THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, AS SHOWN ON SAID PLAT, N07°44'26"E FOR 50.57 FEET TO THE NORTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE NORTH LINE OF SAID LOT 3, N89°08'42"E FOR 6.34 FEET;
THENCE S07°44'55"W FOR 50.57 FEET TO THE SOUTH LINE OF SAID LOT 3;
THENCE ALONG SAID SOUTH LINE OF LOT 3, S89°08'42"W FOR 6.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 317 SQUARE FEET (0.007 ACRES), MORE OR LESS.

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John E Phillips

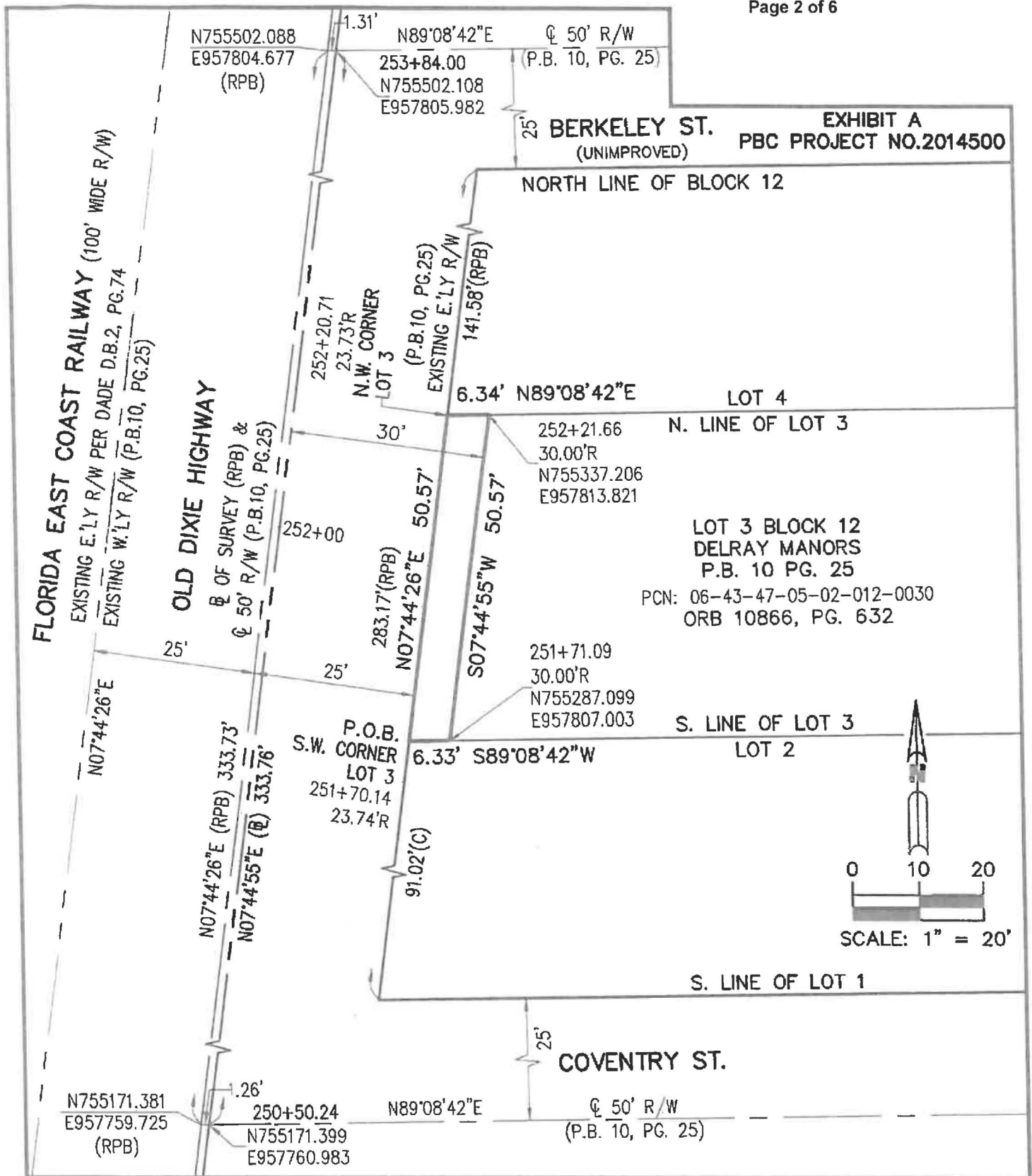
Digitally signed by John E Phillips
Date: 2023.08.23 09:11:24 -04'00'

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

REVISIONS:

8/22/23: PBC 8/17/23 COMMENTS
8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1

 <div>E-Mail: info@brown-phillips.com</div> <div>BROWN & PHILLIPS, INC.</div> <div>PROFESSIONAL SURVEYING SERVICES</div> <div>CERTIFICATE OF AUTHORIZATION # LB 6473</div> <div>1860 OLD OKEECHOBEE ROAD., SUITE 509,</div> <div>WEST PALM BEACH, FLORIDA 33409</div> <div>TELEPHONE (561)-615-3988, 615-3991 FAX</div>	OLD DIXIE HIGHWAY R/W PARCEL 147 (THIS IS NOT A SURVEY)	
	DRAWN: MDB	PROJ. No. 15-026
	CHECKED: JEP	SCALE: NONE
	LEGAL DESCRIPTION	DATE: 7/19/23 SHEET 1 OF 3



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**OLD DIXIE HIGHWAY
R/W PARCEL 147**
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	SHEET 2 OF 3

**EXHIBIT A
PBC PROJECT NO.2014500**

NOTES:

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD '83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.0000458
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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.
THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, EXCEPT AS SHOWN ON THIS SKETCH, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON.
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.
IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:

P.B. - PLAT BOOK	'L - LEFT OF CENTERLINE OF CONSTRUCTION
RPB - ROAD PLAT BOOK	'R - RIGHT OF CENTERLINE OF CONSTRUCTION
ORB - OFFICIAL RECORD BOOK	(P) - PLAT DIMENSION
PG. - PG.	(C) - CALCULATED DIMENSION
DWG. - DRAWING	(RPB) - DIMENSION PER ROAD PLAT BOOK 12, PAGE 119
SEC. - SECTION	U.E. - UTILITY EASEMENT
5/47/43 - SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST	D.E. - DRAINAGE EASEMENT
HWY. - HIGHWAY	TCE - TEMPORARY CONSTRUCTION EASEMENT
℔ - BASELINE	PBC - PALM BEACH COUNTY
℔ - CENTERLINE	PCN - PARCEL CONTROL NUMBER
- 6) BEARINGS SHOWN ARE CONSISTENT WITH ROAD PLAT BOOK 12, PAGE 119, AND ARE BASED ON N07°44'26"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE CENTERLINE OF OLD DIXIE HIGHWAY, ACCORDING TO SAID ROAD PLAT BOOK 12, PAGE 119.



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

**OLD DIXIE HIGHWAY
R/W PARCEL 147
(THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2014500

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF SECTION 5, TOWNSHIP 47 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN LOT 3, BLOCK 12, OF THE PLAT OF DELRAY MANORS, RECORDED IN PLAT BOOK 10, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 3;
THENCE ALONG THE NORTH LINE OF SAID LOT 3, N89°08'42"E FOR 6.34 FEET TO THE POINT OF BEGINNING;
THENCE S07°44'55"W FOR 50.57 FEET TO THE SOUTH LINE OF SAID LOT 3;
THENCE ALONG SAID SOUTH LINE OF LOT 3, N89°08'42"E FOR 2.02 FEET;
THENCE N07°44'55"E FOR 50.57 FEET TO THE SAID NORTH LINE OF LOT 3;
THENCE ALONG SAID NORTH LINE OF LOT 3, S89°08'42"W FOR 2.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 101 SQUARE FEET (0.002 ACRES), MORE OR LESS.

THIS LEGAL DESCRIPTION & SKETCH WAS CREATED WITH THE BENEFIT OF A PREVIOUSLY COMPLETED "SPECIFIC PURPOSE & TOPOGRAPHIC SURVEY" PREPARED BY THE UNDERSIGNED FLORIDA SURVEYOR & MAPPER DATED JULY 29, 2015, FOR THE PURPOSE OF SUPPORTING THE ROADWAY DESIGN PLANS PREPARED FOR THE PALM BEACH COUNTY ROADWAY PROJECT NUMBER 2014500.

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 STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.


John E Phillips

Digitally signed by John E Phillips
Date: 2023.08.23 09:30:04 -04'00'

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

REVISIONS:

8/22/23: PBC 8/17/23 COMMENTS
8/3/23: SUPPORTING SURVEY NOTE ADDED ON PG.1



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

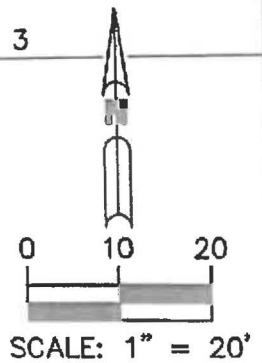
CERTIFICATE OF AUTHORIZATION # LB 6473


1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

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

OLD DIXIE HIGHWAY TCE 347 (THIS IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 1 OF 3



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OLD DIXIE HIGHWAY
TCE 347
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 7/19/23
	SHEET 2 OF 3

**EXHIBIT A
PBC PROJECT NO.2014500**

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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) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN RPB 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
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SEC. – SECTION	U.E. – UTILITY EASEMENT
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**OLD DIXIE HIGHWAY
TCE 347**

(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 7/19/23
	SHEET 3 OF 3

EXHIBIT "B"

OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500

SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 3 lane paved roadway running north and south. The Project to widen and pave the roadway for a total distance of 2.9 miles is located through a mix of residential and commercial areas. Construction of the Project will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

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

COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

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 the Project, and the acquisition of these parcels is necessary, in furtherance of this public project.

ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this roadway as a route required to meet traffic demand 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 Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities 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 the Project is in conformance with Palm Beach County's 2045 Long Range Transportation System (Plan). The 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

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

EXHIBIT "B"

Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 147

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements. These described works to be performed on Parcel 147 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 147.

Palm Beach County shall acquire Parcel 147 in fee simple free and clear of the interests of all interest holders named in its eminent domain petition.

ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT PARCEL 347

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 Parcel 347 shall not extend beyond the limits outlined in the legal description of said property, as EXHIBIT A, attached to the Resolution relating to Parcel 347. 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 or five years from the date of its acquisition by virtue of the deposit of funds, pursuant to an Order of Taking.

The temporary construction easement Parcel 347 shall be non-exclusive. However, all interests in Parcel 347 shall be subordinate to Palm Beach County's interest in the parcel during the Temporary Construction Easement period and all interest holders shall be prohibited from interfering with County's use of Parcel 347.