

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date:	September 16, 2025	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
Department:	Engineering and Public Works		
Submitted By:	Engineering and Public Works		
Submitted For:	Roadway Production Division		

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: a Resolution amending R2025-0540 dated May 6, 2025, and declaring the acquisition of properties designated as Parcel 201 as a permanent easement and Parcel 301 as temporary construction easement, necessary for the construction of intersection improvements at Hypoluxo Road at Military Trail (Project).

**SUMMARY:** Adoption of the Resolution will amend R2025-0540 and initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against two (2) parcels having a total appraised value of \$100,600. R2025-0540 is being amended to change Parcel 201 from a traffic signal easement to a permanent easement. The parcels are necessary to install a mast arm traffic signal at the northwest corner of Hypoluxo Road and Military Trail for westbound traffic. There is no change in Parcel 301's designation. The property owner has not accepted the offer to purchase made by Palm Beach County (County) and attempts to negotiate the purchase have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program. District 2 (DO)**

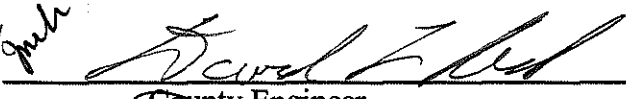
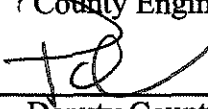
**Background and Justification:** The acquisition of Parcels 201 and 301 is for a public purpose and necessity, which is deemed to be in the best interest of the County. The Engineering and Public Works Department recommends adoption by the Board of County Commissioners (BCC).

**Attachments:**

1. Location Map
2. Resolution amending R2025-0540 for Parcels 201 and 301 with Exhibit "A" and Exhibit "B" – Clean (2)
3. Resolution amending R2025-0540 for Parcels 201 and 301 with Exhibit "A" and Exhibit "B" – Strike Through (2)

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Recommended by:		8/19/2025
	County Engineer	Date
Approved by:		8/24/25
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-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 3950 Dept 361 Unit 1678 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact  
Local Government One-Cent Infrastructure Surtax/Hypoluxo Road & Military Trail

Parcel No.	TYPE	PCN Number	Parcel Description	Asset Number	Total
201	PE	00-42-45-01-00-000-7140	4529 HYPOLUXO RD/1-45-42, SLY 351.46 FT OF ELY 184.99 FT OF SW 1/4 LYG W OF & ADJ TO MILITARY TRL R/W (LESS S 114.03 FT HYPOLUXO RD & TRGLR PAR R/W)	M10310	\$ 59,200.00
301	TCE	00-42-45-01-00-000-7140	4529 HYPOLUXO RD/1-45-42, SLY 351.46 FT OF ELY 184.99 FT OF SW 1/4 LYG W OF & ADJ TO MILITARY TRL R/W (LESS S 114.03 FT HYPOLUXO RD & TRGLR PAR R/W)	N/A	\$ 41,400.00
					\$ 100,600.00

*a. D. Jones, Mayor, Feb 10, OFMB 8/19/25*

\*\*\* This agenda item has no fiscal impact. The fiscal impact was recognized on agenda item # 3-C-2, Board of County Commissioners board date May 6,2025. This agenda item is amending the Resolution (R2025-0540), with the change to Parcel 201 type from signal easement to permanent easement.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

*Lisa Murt* 8/19/2025  
OFMB  
MD 8/19

*Frank Brack* 8/19/25  
Contract Dev. and Control 267 8-19-25

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.

Location Map



**RESOLUTION NO. R2025 - \_\_\_\_\_**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING R2025-0540 DATED MAY 6, 2025, AND DECLARING THE ACQUISITION OF PROPERTIES DESIGNATED AS PARCEL 201 AS A PERMANENT EASEMENT AND PARCEL 301 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT HYPOLUXO ROAD AND MILITARY TRAIL, 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 a permanent easement and a temporary construction easement, designated as Parcels 201 and 301, respectively, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

**WHEREAS**, County Resolution R2025-0540, dated May 6, 2025, designated Parcel 201 as a signal easement; and

**WHEREAS**, the County wishes to amend R2025-0540 to designate Parcel 201 as a permanent easement; and

**WHEREAS**, the parcels are necessary for the construction and improvement of the intersection at Hypoluxo Road and Military Trail (Project); and

**WHEREAS**, the funds are available for the acquisition of a permanent easement and a temporary construction easement designated as Parcels 201 and 301, 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 the construction and improvement of the Project, and determining the Project's location, including Parcels 201 and 301, 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 a permanent easement and a temporary construction easement, designated as Parcels 201 and 301, respectively, on property 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 201 and 301, and the duration of Parcel 301 are more fully described in Exhibit "B"; and

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

**WHEREAS**, the permanent easement and temporary construction easement, on property described in Exhibit "A", to be acquired through Eminent Domain as authorized by this Resolution, are not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and 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 201 and 301, 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 BCC does hereby amend R2025-0540 to designate Parcel 201 as a permanent easement.
3. 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, a permanent easement 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.
4. 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: a permanent easement 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

By:  \_\_\_\_\_  
Assistant County Attorney

CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

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

APPROVED AS TO TERMS  
AND CONDITIONS

By:  \_\_\_\_\_  
Division Director

NAR\_O\_WBrcm/ROADWAY2021822 Hypoluxo Rd & Military Trl/VAISAAmendr/09162025 3C3 Resolution.docx

EXHIBIT "A"


LEGAL DESCRIPTION - (PERMANENT EASEMENT - 201)

A PARCEL OF LAND FOR PERMANENT EASEMENT PURPOSES, LYING IN THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND LYING WITHIN A PORTION OF THOSE LANDS DESCRIBED IN THAT CERTAIN WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 23734, PAGE 612, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SAID SECTION 1; THENCE NORTH 00°11'38" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, A DISTANCE OF 114.03 FEET; THENCE NORTH 88°50'23" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER(S/W 1/4) OF SECTION 1, A DISTANCE OF 110.81 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL (S.R. 809); THENCE CONTINUE NORTH 88°50'23" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PAGE 1926, A DISTANCE OF 34.87 FEET; THENCE NORTH 01°09'37" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°50'23" EAST ALONG A LINE 20 FEET NORTH OF AND PARALLEL TO THE NORTH RIGHT-OF-WAY OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PG 1926, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 26.00 FEET ; THENCE SOUTH 01° 09' 37" WEST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 88° 50' 23" EAST ALONG A LINE 15.00 FEET NORTH OF AND PARALLEL TO THE NORTH RIGHT-OF-WAY OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794 PAGE 1926, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 24.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF MILITARY TRAIL (S.R. 809) AS SHOWN IN OFFICIAL RECORDS BOOK 5939, PAGE 1753; THENCE SOUTH 46°20'56" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 21.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 766.53 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

PROJECT NO. 2021822	SHEET 1 OF 3 SHEETS	PROJECT:  HYPOLUXO ROAD AND MILITARY TRAIL PERMANENT EASEMENT NO. 201		SCALE: 1" = 30'	NO.	REVISION	BY	DATE
		DESIGN FILE NAME S-1-23-4251.DGN	DRAWING NO. S-1-23-4251			1 REVISE EASEMENT DIMENSIONS		
				DATE DRAWING 6/30/2023	2 CHANGE FROM TCE TO PE	TW		
				FIELD BOOK NO. N/A				



PALM BEACH COUNTY  
ENGINEERING AND PUBLIC WORKS  
SURVEY DIVISION  
2300 NORTH JOG ROAD  
WEST PALM BEACH, FLORIDA 33411

LEGEND:

P.B.CO. = PALM BEACH COUNTY  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
ORB = OFFICIAL RECORD BOOK  
PB = PLAT BOOK  
PG = PAGE  
R/W = RIGHT-OF-WAY  
FKA = FORMALLY KNOWN AS

EXHIBIT "A"

PCN:00424501000007140  
WARRANTY DEED: O.R.B. 23734 PG.612

Surveyors Notes:

- 1) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.
- 2) COORDINATES SHOWN ARE GRID  
DATUM = NAD 83, 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNITS = US SURVEY FEET  
COORDINATE SYSTEM = 1983 STATE LANE  
PROJECTION = TRANSVERSE MERCATOR  
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
SCALE FACTOR = 1.0000375  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- 3) FEATURE SYMBOLS SHOWN ARE NOT TO SCALE
- 4) THIS IS NOT A BOUNDARY SURVEY
- 5) BEARINGS SHOWN AND DESCRIBED HEREON ARE BASED ON A GRID (NAD83/90) BEARING  
OF NORTH 00°11'38" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1,  
TOWNSHIP 45, RANGE 42 EAST.
- 6) IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR  
OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN  
TO THE SIGNING SURVEYOR.
- 7) THIS INSTRUMENT PREPARED BY TIMOTHY J. WHITE AND CRAIG S. PUSEY, P.S.M IN THE OFFICE  
OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

THE INTENDED SCALE IS 1" = 30' ON 8.5" X 11" PAPER

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ITS AUTHENTICATED DIGITAL  
EQUIVALENT OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA  
STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND  
MAPPERS IN CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION  
472.027, FLORIDA STATUTES.

Craig S  
Pusey

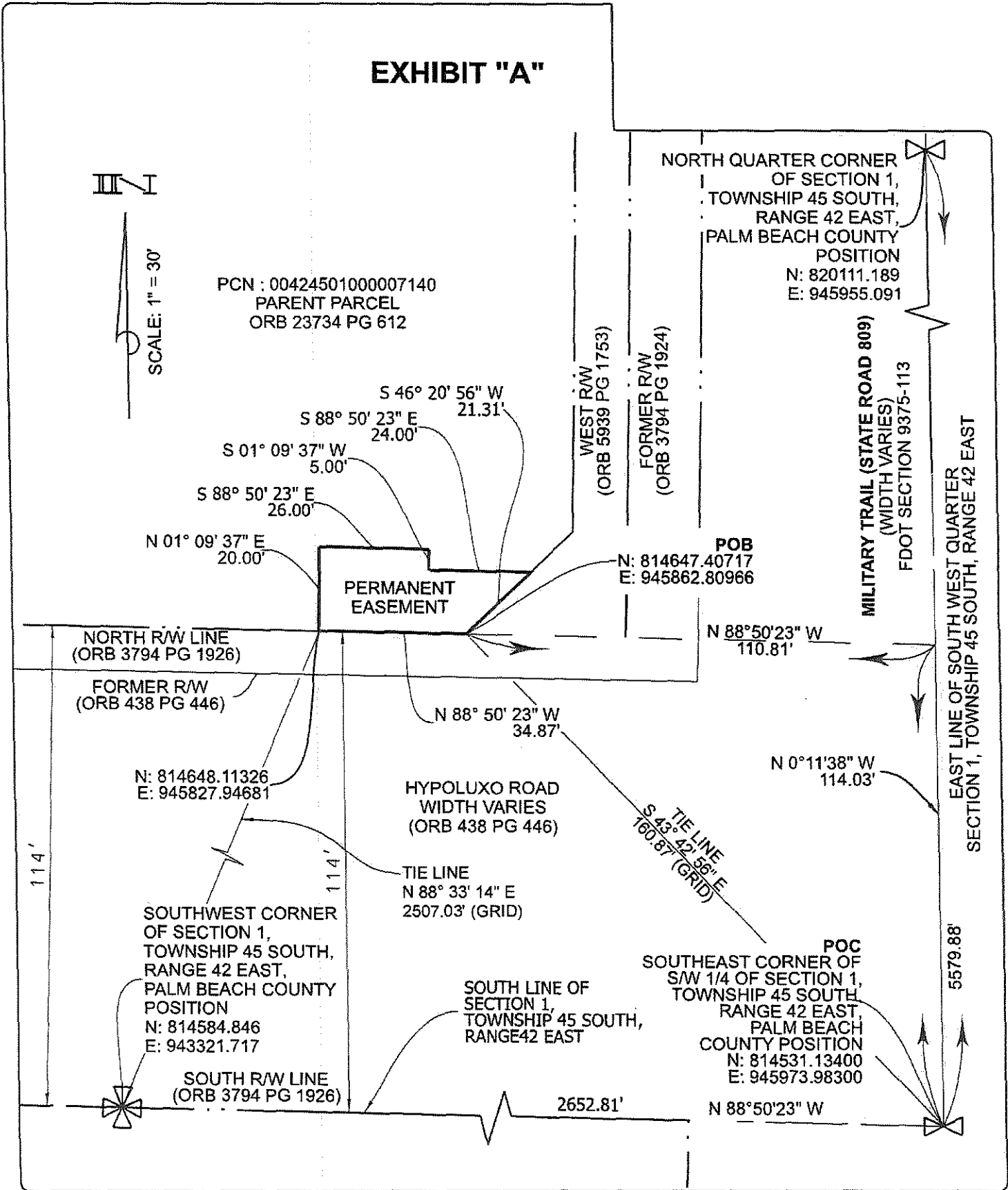
Digitally signed by Craig S Pusey  
DN: cn=C.S.P., o=PALM BEACH COUNTY, dnQualifiers=  
A01410300600192346A91300022820, cn=Craig S  
Pusey  
Reason: I am the author of this document  
Location:  
Date: 2025.07.30 14:02:04-0400  
Foxit PDF Editor Version: 12.1.0

7/30/2025

CRAIG S. PUSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO.5019

DATE

PROJECT NO. 2021822	SHEET 1 OF 1 SHEET 3	SHEET 2	PROJECT: HYPOLUXO ROAD AND MILITARY TRAIL PERMANENT EASEMENT NO. 201		SCALE: 1" = 30'	NO. 1 REVISE EASEMENT DIMENSIONS	BY DATE TW 10/28/23 7/30/25	DATE DRAWN: 08/02/2023	CHECKED: C.S.P.	APPROVED: C.S.P. T.A.W.	FIELD BOOK NO. N/A	REVISION 2 CHANGE FROM TCE TO PE	BY DATE TW 10/28/23 7/30/25	PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411
			DESIGN FILE NAME S-1-23-4251.DGN	DRAWING NO. S-1-23-4251										



PROJECT NO. 2021822  
SHEET 3  
OF 3 SHEETS

PROJECT:  
**HYPOLUXO ROAD AND  
MILITARY TRAIL  
PERMANENT EASEMENT  
NO. 201**

DESIGN FILE NAME  
S-1-23-4251.DGN

DRAWING NO.  
S-1-23-4251

NO.	REVISION	BY	DATE
1	REVISE EASEMENT DIMENSIONS	TW	10/26/23 7:00Z
2	CHANGE FROM TCE TO PE	TW	02/03/2023

SCALE: 1" = 30'

APPROVED: C.S.P.  
DRAWN: T.L.W.  
CHECKED: C.S.P.

FIELD BOOK NO.  
N/A

**PALM BEACH COUNTY  
ENGINEERING AND PUBLIC WORKS  
SURVEY DIVISION**

2300 NORTH JOG ROAD  
WEST PALM BEACH, FLORIDA 33411



EXHIBIT "A"

LEGAL DESCRIPTION - (TEMPORARY CONSTRUCTION EASEMENT - 301)

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES, LYING IN THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND LYING WITHIN A PORTION OF THOSE LANDS DESCRIBED IN THAT CERTAIN WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 23734, PAGE 612, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SAID SECTION 1; THENCE NORTH 00°11'38" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, A DISTANCE OF 114.03 FEET; THENCE NORTH 88°50'23" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER(S/W 1/4) OF SECTION 1, A DISTANCE OF 145.68 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3794, PAGE 1926, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE NORTH 88°50'23" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PAGE 1926, A DISTANCE OF 82.75 FEET; THENCE NORTH 01°09'37" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°50'23" EAST ALONG A LINE 20 FEET NORTH OF AND PARALLEL TO THE NORTH RIGHT-OF-WAY OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PG 1926, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 82.75 FEET ; THENCE SOUTH 01° 09' 37" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1655.00 SQUARE FEET OR 0.04 ACRES MORE OR LESS.


PROJECT NO. 2021822	SHEET 1 OF 3	PROJECT: HYPOLUXO ROAD AND MILITARY TRAIL TEMPORARY CONSTRUCTION EASEMENT NO. 301		SCALE: 1" = 30' APPROVED: C.S.P. DRAWN: T.J.W. CHECKED: C.S.P. DATE: 10/27/2023	NO.	REVISION	BY	DATE		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411
		DESIGN FILE NAME S-1-23-4251.DGN	DRAWING NO. S-1-23-4251							

EXHIBIT "A"

LEGEND:

P.B.CO. = PALM BEACH COUNTY  
POB = POINT OF BEGINNING  
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ORB = OFFICIAL RECORD BOOK  
PB = PLAT BOOK  
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PCN:00424501000007140  
WARRANTY DEED: O.R.B. 23734 PG.612

Surveyors Notes:

- 1) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.
- 2) COORDINATES SHOWN ARE GRID  
DATUM = NAD 83, 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNITS = US SURVEY FEET  
COORDINATE SYSTEM = 1983 STATE LANE  
PROJECTION = TRANSVERSE MERCATOR  
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
SCALE FACTOR = 1.0000375  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- 3) FEATURE SYMBOLS SHOWN ARE NOT TO SCALE
- 4) THIS IS NOT A BOUNDARY SURVEY
- 5) BEARINGS SHOWN AND DESCRIBED HEREON ARE BASED ON A GRID (NAD83/90) BEARING  
OF NORTH 00°11'38" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1,  
TOWNSHIP 45, RANGE 42 EAST.
- 6) IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR  
OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN  
TO THE SIGNING SURVEYOR.
- 7) THIS INSTRUMENT PREPARED BY TIMOTHY J. WHITE AND CRAIG S. PUSEY, P.S.M IN THE OFFICE  
OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

THE INTENDED SCALE IS 1" = 30' ON 8.5" X 11" PAPER

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ITS AUTHENTICATED DIGITAL  
EQUIVALENT OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA  
STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND  
MAPPERS IN CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION  
472.027, FLORIDA STATUTES.


Craig S  
Pusey

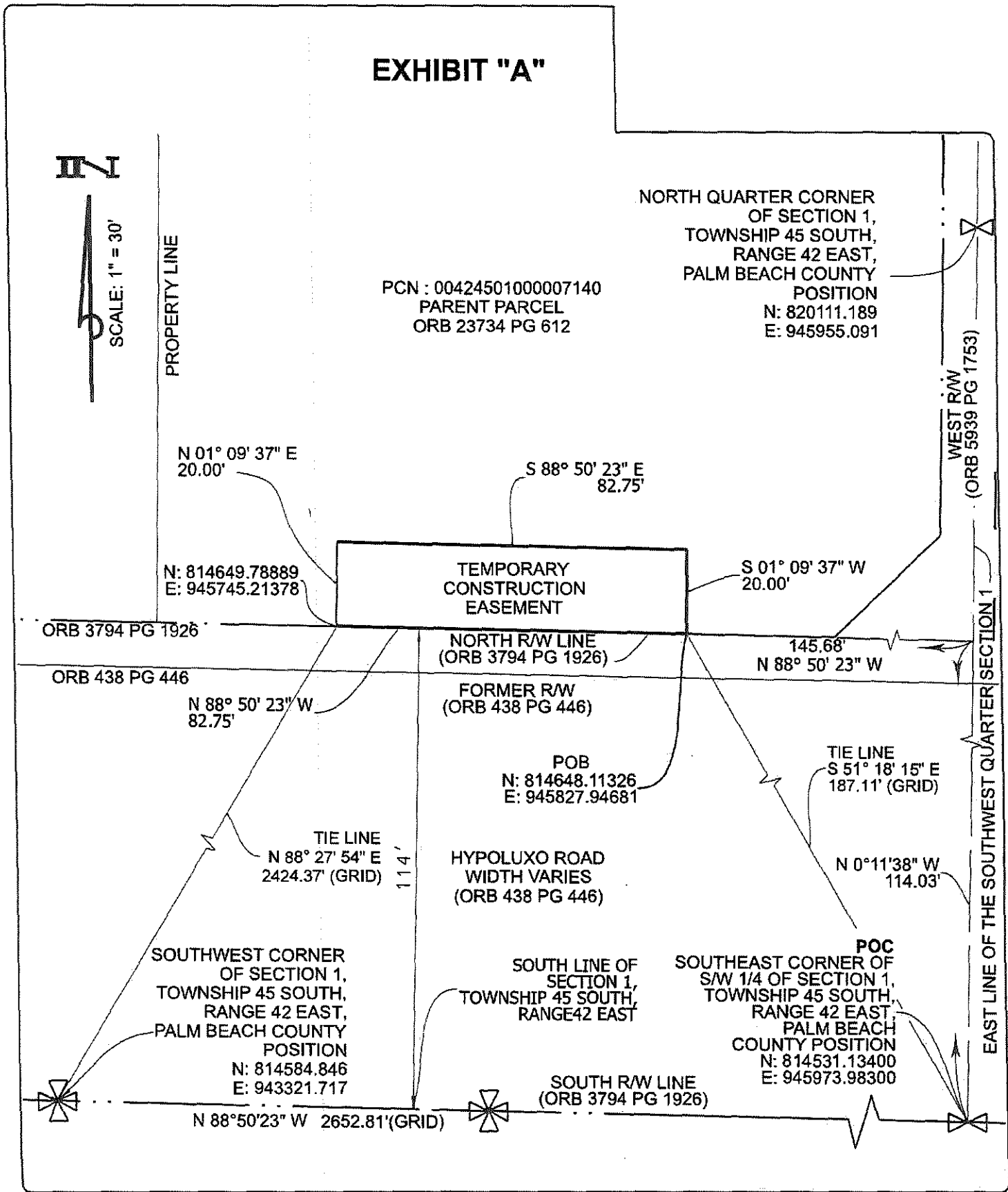
Digitally signed by Craig S Pusey  
DN: cn=US, o=PALM BEACH COUNTY, dnQualifier  
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Reason: I am the author of this document  
Location:  
Date: 2025.07.30 19:54:39-0400  
Fpdf PDF Editor Version: 12.1.0


7/30/2025

CRAIG S. PUSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO.5019

DATE

PROJECT NO. 2021822	SHEET OF 32	PROJECT: HYPOLUXO ROAD AND MILITARY TRAIL TEMPORARY CONSTRUCTION EASEMENT NO. 301	DESIGN FILE NAME S-1-23-4251.DGN	DRAWING NO. S-1-23-4251	DATE 10/27/2023	SCALE 1" = 30'	APPROVED G.S.P DRAWN T.J.W CHECKED C.S.P	FIELD BOOK NO. N/A	NO.	REVISION	BY	DATE		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411



PROJECT NO. 2021822	SHEET: 3 OF: 3	PROJECT: HYPOLUXO ROAD AND MILITARY TRAIL TEMPORARY CONSTRUCTION EASEMENT NO. 301		SCALE: 1" = 30' APPROVED: C.S.P. DRAWN: T.J.W. CHECKED: C.S.P. DATE: 10/27/2023	NO.	REVISION	BY	DATE		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411
		DESIGN FILE NAME: S-1-23-4251.DGN	DRAWING NO.: S-1-23-4251							

## **EXHIBIT "B"**

### **HYPOLUXO ROAD AT MILITARY TRAIL PALM BEACH COUNTY PROJECT # 2021822**

#### **SAFETY**

The signalized intersection at Hypoluxo Road and Military Trail (Project) is currently equipped with a span wire signal structure. The Project will convert the intersection to a mast arm signal structure. The proposed acquisition will facilitate this conversion by providing the necessary land and resources for the improvement.

The design of the Project complies with the standards set forth in the *Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways* (Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

#### **COST**

The cost for improvements at the intersection of Hypoluxo Road and Military Trail was estimated prior to beginning design and was continuously updated throughout the design process. Funding for design, right-of-way acquisition, and construction was allocated in Palm Beach County's Five Year Road Program. Throughout the design phase, all reasonable efforts were undertaken to minimize the areas to be acquired through Eminent Domain.

After considering Safety, Alternative Routes and Methodologies, Planning, and Environmental factors, it was determined that the acquisition of these parcels falls within the allocated budget for the Project. Furthermore, the acquisition is deemed necessary to facilitate the completion of this public improvement project.

#### **ALTERNATE ROUTES**

The intersection of Hypoluxo Road and Military Trail is heavily traveled by the public, and located on two key arterial roadways for vehicular traffic that passes through unincorporated Palm Beach County. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this intersection as an intersection to be improved 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.

#### **LONG RANGE PLANNING**

The current span wire signal is nearing its service life and requires replacement for the safety of the traveling public. Upgrading to a mast arm signal will bring the intersection to current standards, and the structural integrity will be significantly improved for withstanding higher wind load as required for hurricanes.

#### **ENVIRONMENTAL IMPACTS**

This portion of Hypoluxo Road and Military Trail is a part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment. The Project has been permitted through the appropriate environmental regulatory agencies.

**ACQUISITION FOR PERMANENT EASEMENT - PARCEL 201**

The parcel to be acquired represents an acquisition outside of the existing right-of-way. It is required to maintain and operate all signal equipment for the westbound traffic on the northwest corner. The signal equipment on the northwest corner is an intricate part of the signalized intersection to fully function as a whole.

The permanent easement Parcel 201 shall be non-exclusive. However, all interests in Parcel 201 shall be subordinate to Palm Beach County's interest in Parcel 201 and all interest holders shall be prohibited from interfering with the County's use of Parcel 201, including in any way modifying or damaging the construction on Parcel 201.

**ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT - PARCEL 301**

This temporary construction easement is needed for access and all related construction activities reasonably required for construction, sloping, grading, and harmonizing the traffic signal construction with the adjacent property. The described works to be performed on Parcel 301 shall not extend beyond the limits outlined in the legal descriptions of said property attached to the Resolution relating to Parcel 301 as **EXHIBIT A**. This temporary construction easement shall expire upon the earlier of the acceptance of the construction of the Project by the Palm Beach County Board of County Commissioners or three (3) 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 301 shall be non-exclusive. However, all interests in Parcel 301 shall be subordinate to Palm Beach County's interest in Parcel 301 during the temporary construction easement period and all interest holders shall be prohibited from interfering with the County's use of Parcel 301.

RESOLUTION NO. R-2024 - \_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING R2025-0540 DATED MAY 6, 2025, AND DECLARING THE ACQUISITION OF PROPERTIES DESIGNATED AS PARCEL 201 AS A SIGNAL PERMANENT EASEMENT AND PARCEL 301 AS A TEMPORARY CONSTRUCTION EASEMENT, NECESSARY FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT HYPOLUXO ROAD AND MILITARY TRAIL, 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 a signal permanent easement and a temporary construction easement, designated as Parcels 201 and 301, respectively, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

**WHEREAS**, County Resolution R2025-0540, dated May 6, 2025, designated Parcel 201 as a signal easement; and

**WHEREAS**, the County wishes to amend R2025-0540 to designate Parcel 201 as a permanent easement; and

**WHEREAS**, the parcels are necessary for the construction and improvement of the intersection at Hypoluxo Road and Military Trail (Project); and

**WHEREAS**, the funds are available for the acquisition of a signal permanent easement and a temporary construction easement designated as Parcels 201 and 301, respectively; and

**WHEREAS**, the property owners have has not accepted the offers 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 the construction and improvement of the Project, and determining the Project's location, including Parcels 201 and 301, 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 a signal permanent easement and a temporary construction easement, designated as Parcels 201 and 301, respectively, on property 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 201 and 301, and the duration of Parcel 301 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 signal permanent easement and temporary construction easement, on property described in Exhibit "A", to be acquired through Eminent Domain as authorized by this Resolution, are not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and 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 201 and 301, 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 BCC does hereby amend R2025-0540 to designate Parcel 201 as a permanent easement.
3. 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, a ~~signal~~ permanent easement 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.
4. 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: a ~~signal~~ permanent easement 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\_\_\_\_\_

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
Division Director

PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA,  
BY AND THROUGH ITS BOARD OF COUNTY  
COMMISSIONERS  
**JOSEPH ABRUZZO,**  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

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


EXHIBIT "A"

PERMANENT  
LEGAL DESCRIPTION - (TRAFFIC SIGNAL EASEMENT - 201)

A PARCEL OF LAND FOR TRAFFIC SIGNAL EASEMENT PURPOSES, LYING IN THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND LYING WITHIN A PORTION OF THOSE LANDS DESCRIBED IN THAT CERTAIN WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 23734, PAGE 612, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SAID SECTION 1; THENCE NORTH 00°11'38" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, A DISTANCE OF 114.03 FEET; THENCE NORTH 88°50'23" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, A DISTANCE OF 110.81 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL (S.R. 809); THENCE CONTINUE NORTH 88°50'23" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PAGE 1926, A DISTANCE OF 34.87 FEET; THENCE NORTH 01°09'37" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°50'23" EAST ALONG A LINE 20 FEET NORTH OF AND PARALLEL TO THE NORTH RIGHT-OF-WAY OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PG 1926, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 26.00 FEET; THENCE S 01° 09' 37" W, A DISTANCE OF 5.00 FEET; THENCE S 88° 50' 23" E ALONG A LINE 15.00 FEET NORTH OF AND PARALLEL TO THE NORTH RIGHT-OF-WAY OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794 PAGE 1926, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 24.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF MILITARY TRAIL (S.R. 809) AS SHOWN IN OFFICIAL RECORDS BOOK 5939, PAGE 1753; THENCE S 46°20'56" W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 21.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 766.53 SQUARE FEET OR 0.02 ACRES MORE OR LESS.

PROJECT NO. 2021822	SHEET: SHEET 1 OF: SHEET 3	PROJECT: <b>HYPOLUXO ROAD AND MILITARY TRAIL TRAFFIC SIGNAL EASEMENT PERMANENT NO. 201</b>		SCALE: 1" = 30' APPROVED: C.S.P. DRAWN: T.J.W. CHECKED: C.B.F. DATE: 03/03/2023	NO. 1	REVISION	BY	DATE
		Revise Easement Dimensions	TW			02/26/23		
DESIGN FILE NAME S-1-23-4251.DGN		DRAWING NO. S-1-23-4251		FIELD BOOK NO. N/A				
				 <b>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411</b>				



LEGEND:

EXHIBIT "A"

P.B.CO. = PALM BEACH COUNTY  
POB = POINT OF BEGINNING  
POC = POINT OF COMMENCEMENT  
ORB = OFFICIAL RECORD BOOK  
PB = PLAT BOOK  
PG = PAGE  
R/W = RIGHT-OF-WAY  
FKA = FORMALLY KNOWN AS

PCN:00424501000007140  
WARRANTY DEED: O.R.B. 23734 PG.612

Surveyors Notes:

- 1) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.
- 2) COORDINATES SHOWN ARE GRID  
DATUM = NAD 83, 1990 ADJUSTMENT  
ZONE = FLORIDA EAST  
LINEAR UNITS = US SURVEY FEET  
COORDINATE SYSTEM = 1983 STATE LANE  
PROJECTION = TRANSVERSE MERCATOR  
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
SCALE FACTOR = 1.0000375  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- 3) FEATURE SYMBOLS SHOWN ARE NOT TO SCALE
- 4) THIS IS NOT A BOUNDARY SURVEY
- 5) BEARINGS SHOWN AND DESCRIBED HEREON ARE BASED ON A GRID (NAD83/90) BEARING OF NORTH 00°11'38" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 4S, RANGE 42 EAST.
- 6) IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.
- 7) THIS INSTRUMENT PREPARED BY TIMOTHY J. WHITE AND CRAIG S. PUSEY, P.S.M IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

THE INTENDED SCALE IS 1" = 30' ON 8.5" X 11" PAPER

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ITS AUTHENTICATED DIGITAL EQUIVALENT OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


Craig S Pusey

Digitally signed by Craig S Pusey  
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Reason: I am the author of this document  
Location:  
Date: 2024.01.04 13:20:28-05'00'  
Foxit PDF Editor Version: 12.1.0

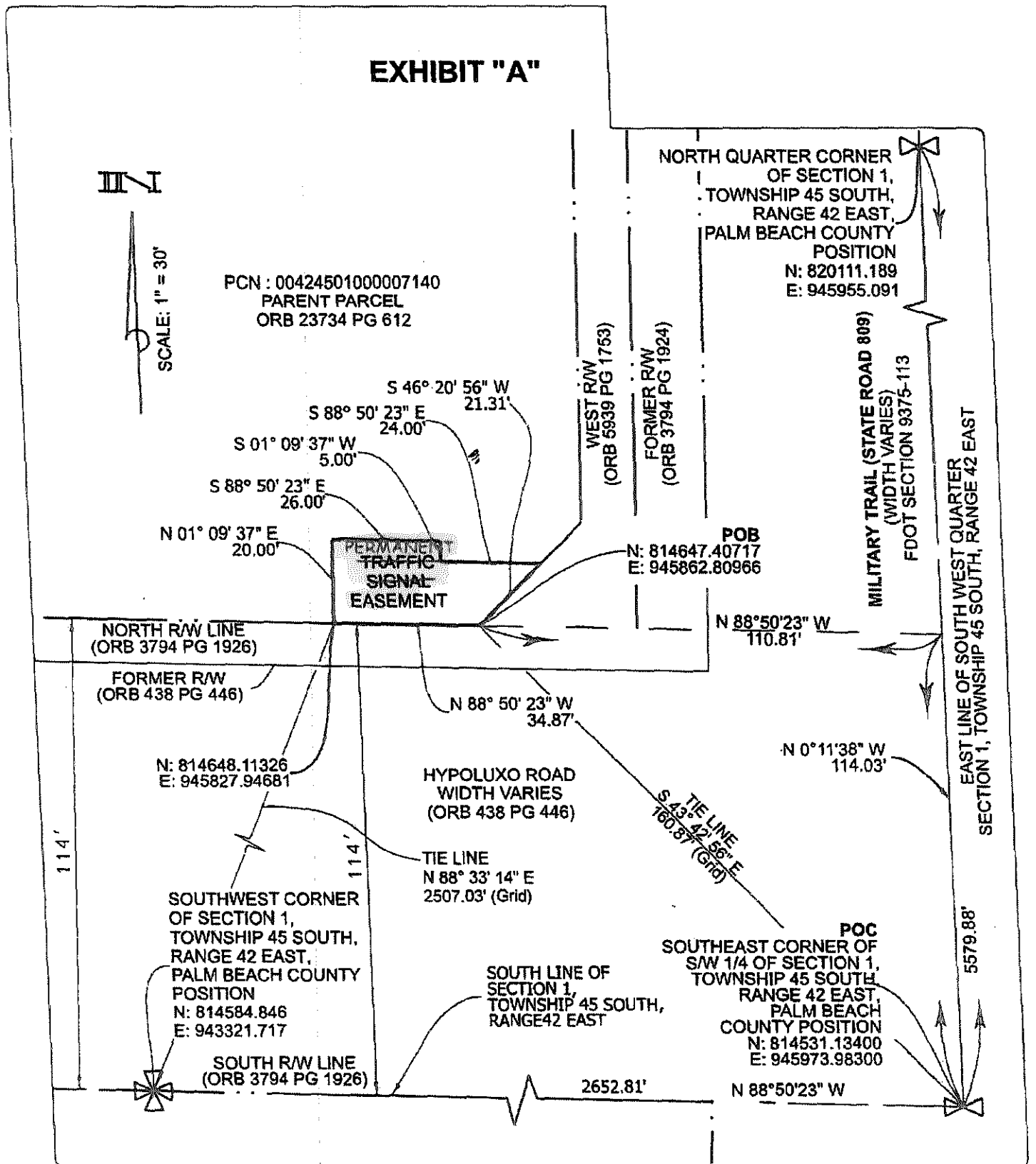
CRAIG S. PUSEY  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA REGISTRATION NO.5019

DATE


PROJECT: HYPOLUXO ROAD AND MILITARY TRAIL TRAFFIC SIGNAL EASEMENT PERMANENT NO. 201	DESIGN FILE NAME S-1-23-4251.DGN	DRAWING NO. S-1-23-4251
	DATE 03/02/2024	
SCALE 1" = 30'		REVISION 1 Revise Easement Dimensions
APPROVED: T.J.W. C.E.P.		BY DATE T.W. 10/2/2023
FIELD BOOK NO. N/A		



PALM BEACH COUNTY  
ENGINEERING AND PUBLIC WORKS  
SURVEY DIVISION  
2300 NORTH JOG ROAD  
WEST PALM BEACH, FLORIDA 33411



PROJECT NO. 2021822 SHEET 3 OF 3	PROJECT <b>HYPOLUXO ROAD AND MILITARY TRAIL TRAFFIC SIGNAL EASEMENT NO. 201</b>		SCALE 1" = 30' APPROVED: C.S.P. T.L.V. C.S.P. DATE 03/09/2023 FIELD BOOK NO. N/A	REVISION 1. Revise Easement Dimensions	BY TV	DATE 10/26/23
	PERMANENT					
	DESIGN FILE NAME S-1-23-4251.DGN			DRAWING NO. S-1-23-4251		



**PALM BEACH COUNTY  
ENGINEERING AND PUBLIC WORKS  
SURVEY DIVISION  
2300 NORTH JOG ROAD  
WEST PALM BEACH, FLORIDA 33411**


EXHIBIT "A"

LEGAL DESCRIPTION - (TEMPORARY CONSTRUCTION EASEMENT - 301)

A PARCEL OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES, LYING IN THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND LYING WITHIN A PORTION OF THOSE LANDS DESCRIBED IN THAT CERTAIN WARRANTY DEED AS RECORDED IN OFFICIAL RECORDS BOOK 23734, PAGE 612, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE QUARTER (S/W 1/4) OF SAID SECTION 1; THENCE NORTH 00°11'38" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST ONE QUARTER (S/W 1/4) OF SECTION 1, A DISTANCE OF 114.03 FEET; THENCE NORTH 88°50'23" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER(S/W 1/4) OF SECTION 1, A DISTANCE OF 145.68 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 3794, PAGE 1926, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE NORTH 88°50'23" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PAGE 1926, A DISTANCE OF 82.75 FEET; THENCE NORTH 01°09'37" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°50'23" EAST ALONG A LINE 20 FEET NORTH OF AND PARALLEL TO THE NORTH RIGHT-OF-WAY OF HYPOLUXO ROAD AS SHOWN IN OFFICIAL RECORDS BOOK 3794, PG 1926, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 82.75 FEET ; THENCE S 01° 09' 37" W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1655.00 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

PROJECT NO. 2021822	SHEET 1 OF 3	PROJECT: HYPOLUXO ROAD AND MILITARY TRAIL TEMPORARY CONSTRUCTION EASEMENT NO. 301		SCALE: 1" = 30' APPROVED: C.S.P. DRAWN: T.J.W. CHECKED: C.S.P. DATE: 10/27/2023	NO.	REVISION	BY	DATE		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411
		DESIGN FILE NAME S-1-23-4251.DGN	DRAWING NO. S-1-23-4251							

**LEGEND:**

PCN:00424501000007140  
WARRANTY DEED: O.R.B. 23734 PG.612


- 1) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.
- 2) COORDINATES SHOWN ARE GRID  
    DATUM = NAD 83, 1990 ADJUSTMENT  
    ZONE = FLORIDA EAST  
    LINEAR UNITS = US SURVEY FEET  
    COORDINATE SYSTEM = 1983 STATE LANE  
    PROJECTION = TRANSVERSE MERCATOR  
    ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED  
    SCALE FACTOR = 1.0000375  
    GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- 3) FEATURE SYMBOLS SHOWN ARE NOT TO SCALE
- 4) THIS IS NOT A BOUNDARY SURVEY
- 5) BEARINGS SHOWN AND DESCRIBED HEREON ARE BASED ON A GRID (NAD83/90) BEARING OF NORTH 00°11'38" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 45, RANGE 42 EAST.
- 6) IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.
- 7) THIS INSTRUMENT PREPARED BY TIMOTHY J. WHITE AND CRAIG S. PUSEY, P.S.M IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

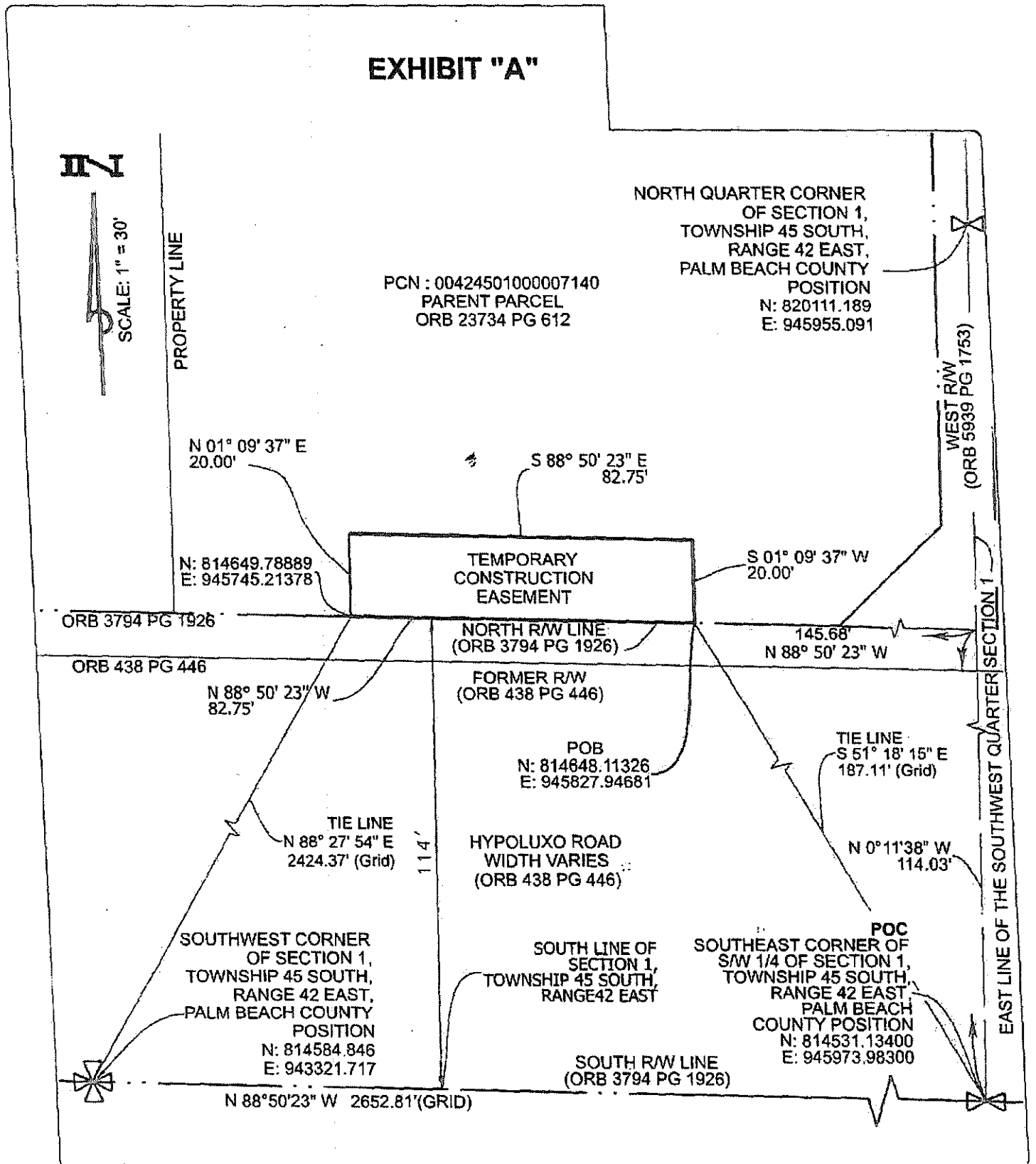
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR ITS AUTHENTICATED DIGITAL EQUIVALENT OF A FLORIDA LICENSED SURVEYOR AND MAPPER.


I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Digitally signed by Craig S Pusey  
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Reason: I am the author of this document  
Location:  
Date: 2024.01.04 13:36:13-0500  
Foxit PDF Editor Version: 12.0

DATE \_\_\_\_\_

PROJECT NO. 2021822	SHEET: 2 OF: 3	PROJECT:		NO.		REVISION	BY	DATE	 <p>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS SURVEY DIVISION 2300 NORTH JOG ROAD WEST PALM BEACH, FLORIDA 33411</p>
		HYPOLUXO ROAD AND MILITARY TRAIL TEMPORARY CONSTRUCTION EASEMENT NO. 301		SCALE: 1" = 30' APPROVED: C.S.P. DRAWN: T.J.W. CHECKED: C.S.P. DATE: 10/27/2023					
DESIGN FILE NAME		DRAWING NO.		FIELD BOOK NO.					
S-1-23-4251.DGN		S-1-23-4251		N/A					



PROJECT: <b>HYPOLUXO ROAD AND          MILITARY TRAIL          TEMPORARY CONSTRUCTION EASEMENT          NO. 301</b>	DESIGN FILE NAME <b>S-1-23-4251.DGN</b>	DRAWING NO. <b>S-1-23-4251</b>	SCALE: 1" = 30' APPROVED C.S.P. DRAWN T.J.W. CHECKED C.S.P. DATE 10/27/2023 FIELD BOOK NO. <b>N/A</b>	NO. REVISION BY DATE	 <b>PALM BEACH COUNTY          ENGINEERING AND PUBLIC WORKS          SURVEY DIVISION          2300 NORTH JOG ROAD          WEST PALM BEACH, FLORIDA 33411</b>
	SHEETS OF 3 3		PROJECT NO. <b>2021822</b>		

## **EXHIBIT "B"**

### **HYPOLUXO ROAD AT MILITARY TRAIL PALM BEACH COUNTY PROJECT # 2021822**

#### **SAFETY**

The signalized intersection at Hypoluxo Road and Military Trail (Project) is currently equipped with a span wire signal structure. The Project will convert the intersection to a mast arm signal structure. The proposed acquisition will facilitate this conversion by providing the necessary land and resources for the improvement.

The design of the Project complies with the standards set forth in the *Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways* (Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

#### **COST**

The cost for improvements at the intersection of Hypoluxo Road and Military Trail was estimated prior to beginning design and was continuously updated throughout the design process. Funding for design, right-of-way acquisition, and construction was allocated in Palm Beach County's Five Year Road Program. Throughout the design phase, all reasonable efforts were undertaken to minimize the areas to be acquired through Eminent Domain.

After considering Safety, Alternative Routes and Methodologies, Planning, and Environmental factors, it was determined that the acquisition of these parcels falls within the allocated budget for the Project. Furthermore, the acquisition is deemed necessary to facilitate the completion of this public improvement project.

#### **ALTERNATE ROUTES**

The intersection of Hypoluxo Road and Military Trail is heavily traveled by the public, and located on two key arterial roadways for vehicular traffic that passes through unincorporated Palm Beach County. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) defines this intersection as an intersection to be improved 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.

#### **LONG RANGE PLANNING**

The current span wire signal is nearing its service life and requires replacement for the safety of the traveling public. Upgrading to a mast arm signal will bring the intersection to current standards, and the structural integrity will be significantly improved for withstanding higher wind load as required for hurricanes.

#### **ENVIRONMENTAL IMPACTS**

This portion of Hypoluxo Road and Military Trail is a part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment. The Project has been permitted through the appropriate environmental regulatory agencies.

**ACQUISITION FOR SIGNAL PERMANENT EASEMENT - PARCEL 201**

The parcel to be acquired represents an acquisition outside of the existing right-of-way. It is required to maintain and operate all signal equipment for the westbound traffic on the northwest corner. The signal equipment on the northwest corner is an intricate part of the signalized intersection to fully function as a whole.

The signal permanent easement Parcel 201 shall be non-exclusive. However, all interests in Parcel 201 shall be subordinate to Palm Beach County's interest in Parcel 201 and all interest holders shall be prohibited from interfering with the County's use of Parcel 201, including in any way modifying or damaging the construction on the Parcel 201.

**ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENT – PARCEL 301**

This temporary construction easement is needed for access and all related construction activities reasonably required for construction, sloping, grading, and harmonizing the traffic signal construction with the adjacent property. The described works to be performed on Parcel 301 shall not extend beyond the limits outlined in the legal descriptions of said property attached to the Resolution relating to Parcel 301 as **EXHIBIT A**. This temporary construction easement shall expire upon the earlier of the acceptance of the construction of the Project by the Palm Beach County Board of County Commissioners or three (3) 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 301 shall be non-exclusive. However, all interests in Parcel 301 shall be subordinate to Palm Beach County's interest in Parcel 301 during the temporary construction easement period and all interest holders shall be prohibited from interfering with the County's use of Parcel 301.