

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2026	2027	2028	2029	2030
Capital Expenditures	\$3,010,500	-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	\$3,010,500	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Yes ☒ No ☐

Yes ☐ No ☒

Yes ☐ No ☒

Budget Account No:

Fund 3501 Dept 361 Unit 1369 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact

Road Impact Fee Zone 1/Congress Ave/Northlake to Alt. A1A

Parcel No.	TYPE	PCN Number	Parcel Description	Asset Number	Total
116	ROW	00-43-42-17-07-002-0010	2973 AVOCADO LN-Book/Page 33825 / 313 PROSPERITY FARMS LTS 1 TO 24 INC BLK B	<i>M10357</i>	\$ 1,955,500.00
216	DE	00-43-42-17-07-002-0010	2973 AVOCADO LN-Book/Page 33825 / 313 PROSPERITY FARMS LTS 1 TO 24 INC BLK B	<i>M10358</i>	\$ 1,055,000.00
					\$ 3,010,500.00

2. DeWitt, Mer, FANB,
OFMB 11/4/75

Impact Fee Project Description

This Resolution to settle eminent domain proceedings is necessary for right-of-way acquisition to extend Congress Avenue from Northlake Blvd to Alternate A1A. This project will improve the operation of intersections in the area and is needed to serve new development within Impact Fee Zone 1. 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:

OFMB *11/15/2008*
11/15 *GS 11/14*

Contract Dev. and Control

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

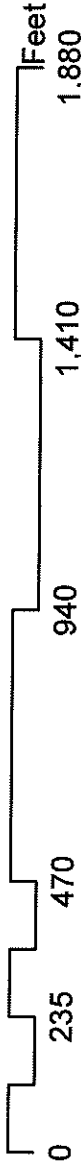
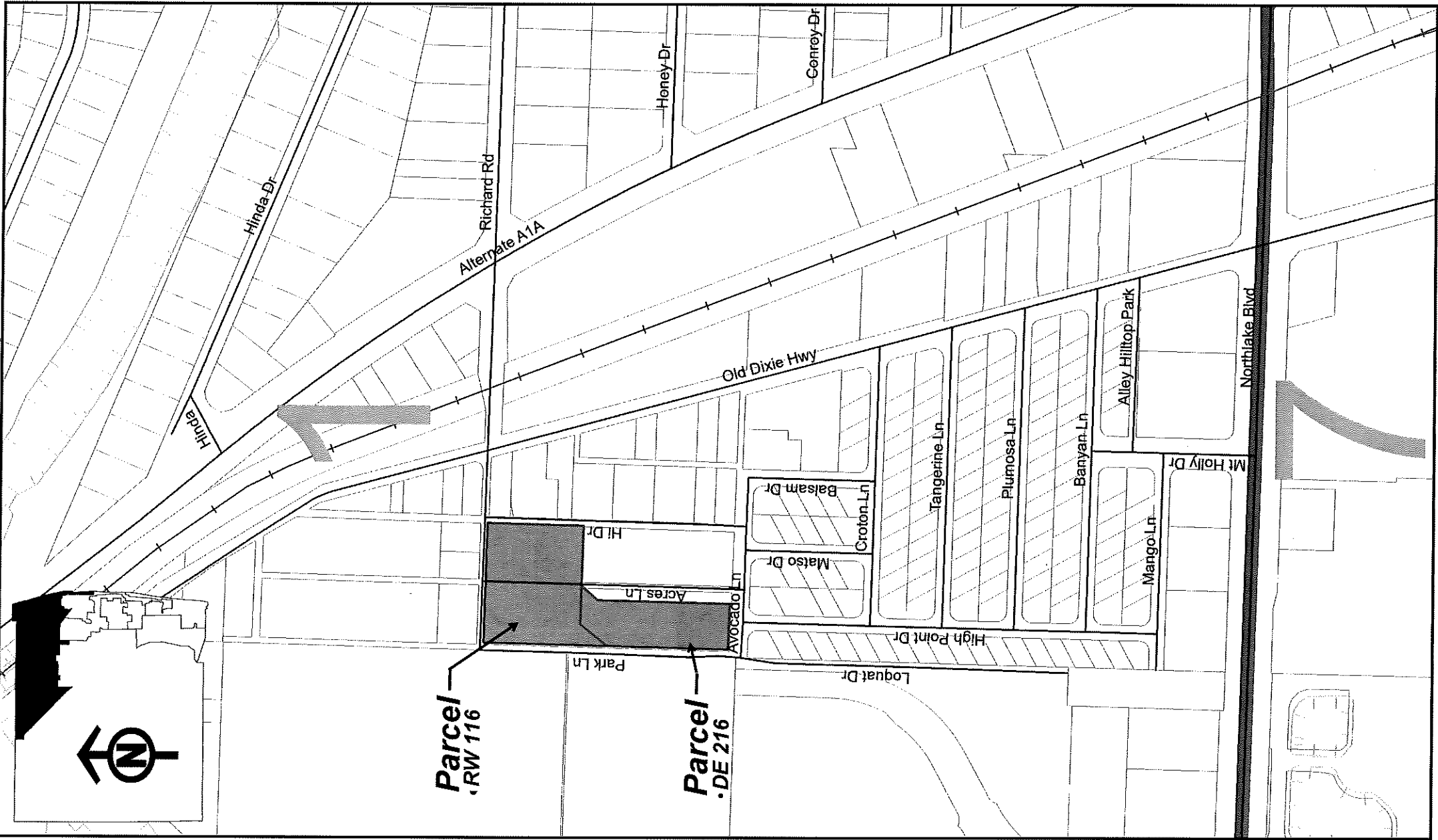

Assistant County Attorney

C. Other Department Review:

Department Director

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

Location Map



RESOLUTION NO. R-2026 - _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF PROPERTY DESIGNATED AS PARCEL 116 AS FEE SIMPLE RIGHT-OF-WAY AND PROPERTY DESIGNATED AS PARCEL 216 AS A PERMANENT DRAINAGE EASEMENT, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS TO EXTEND CONGRESS AVENUE FROM NORTHLAKE BOULEVARD TO ALTERNATE A1A, 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 permanent drainage easement, designated as Parcels 116 and 216, respectively, described in Exhibit "A", to the Board of County Commissioners (BCC); and

WHEREAS, the parcels are necessary for the construction to extend Congress Avenue from Northlake Boulevard to Alternate A1A (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way and a permanent drainage easement designated as Parcels 116 and 216, 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 116 and 216, 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 permanent drainage easement, designated as Parcels 116 and 216, respectively, 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 use and purpose of Parcels 116 and 216 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 permanent drainage easement 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 116 and 216, 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 permanent drainage easement 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 permanent drainage easement necessary for the construction and improvement of the Project.

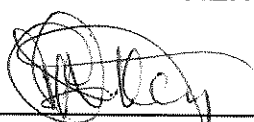
The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Commissioner Maria G. Marino	_____
Commissioner Gregg K. Weiss	_____
Commissioner Joel G. Flores	_____
Commissioner Marci Woodward	_____
Commissioner Maria Sachs	_____
Commissioner Sara Baxter	_____
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

MICHAEL A. CARUSO
CLERK OF THE CIRCUIT COURT
& COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO TERMS
AND CONDITIONS

By:  _____
Division Director

EXHIBIT A
PBC PROJECT NO.2012517
Page 1 of 6

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY FLORIDA, LYING IN A PARCEL RECORDED IN OFFICIAL RECORD BOOK 33825, PAGE 313 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING ALL OF LOTS 1-4, AND LOTS 21-24, BLOCK B, AND A PORTION OF LOTS 5, 6, 7, AND 20, BLOCK B, OF WEST TOWN SITE TO THE LANDS OF PROSPERITY FARMS CO., RECORDED IN PLAT BOOK 6, PAGE 34, OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE NORTH LINE OF SAID LOTS 1 AND 24, S88°17'39"E FOR 320.58 FEET TO THE NORTHEAST CORNER OF SAID LOT 24, BLOCK B;
THENCE ALONG THE EAST LINE OF SAID BLOCK B, S01°35'37"W FOR 250.63 FEET;
THENCE N88°30'19"W FOR 255.73 FEET;
THENCE S38°35'04"W FOR 107.79 FEET TO THE WEST LINE OF SAID BLOCK B;
THENCE ALONG SAID WEST LINE, N01°35'37"E FOR 337.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 83,326 SQUARE FEET (1.913 ACRES), MORE OR LESS.

LESS THE 15' PUBLIC RIGHT-OF-WAY (ACRES WAY), RECORDED IN SAID WEST TOWN SITE TO THE LANDS OF PROSPERITY FARMS CO.

CONTAINING 3,768 SQUARE FEET (0.087 ACRES, MORE OR LESS.

NET AREA = 79,558 SQUARE FEET (1.826 ACRES, MORE OR LESS)

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND 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: 2024.10.21 10:43:08 -04'00'

REVISIONS: 8/28/24 - CORRECTED POC TO POB DISTANCE	JOHN E. PHILLIPS, III PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA No. 4826 DATE: _____
10/17/24 - PBC 9/30/24 COMMENTS	

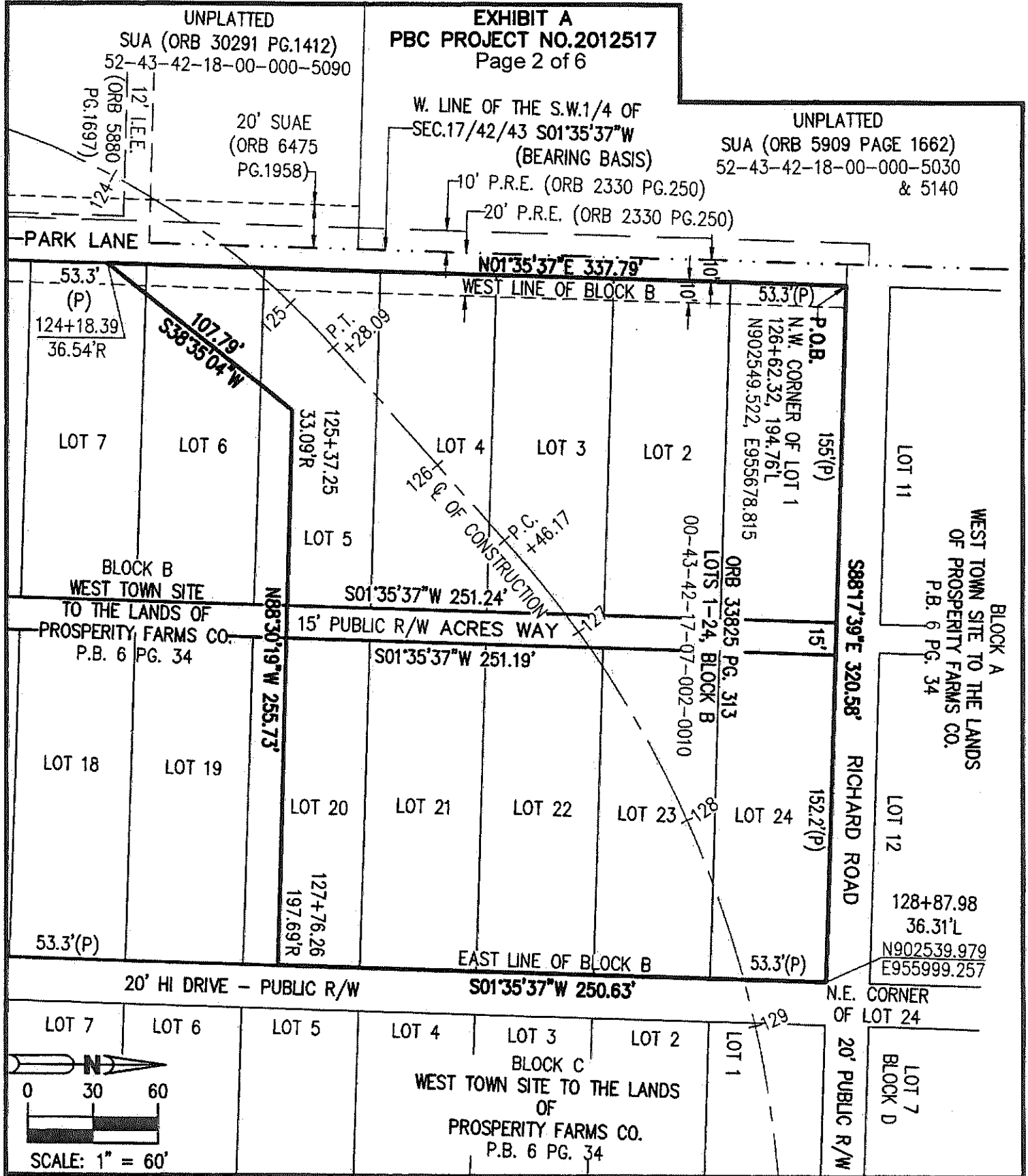


BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

CONGRESS AVENUE EXTENSION
HI ACRES PARK R/W PARCEL 116
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 20-098
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 4/1/24
	SHEET 1 OF 3



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CONGRESS AVENUE EXTENSION HI ACRES PARK R/W PARCEL 116 (THIS SKETCH IS NOT A SURVEY)	
DRAWN: MDB	PROJ. No. 20-098
CHECKED: JEP	SCALE: 1" = 60'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 4/1/24
	SHEET 2 OF 3

EXHIBIT A
PBC PROJECT NO.2012517
Page 3 of 6

NOTES:

- 1) THE R/W PARCEL IS BASED ON A ROADWAY PLAN FOR CONGRESS AVENUE EXTENSION, RICHARD ROAD PORTION, PREPARED BY KIMLEY-HORN INC., PALM BEACH COUNTY PROJECT No.2012517.
- 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 EXCEPT WHERE SHOWN AS GRID
 - H. SCALE FACTOR - 1.0000440
 - I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 - J. ROTATION EQUATION: NONE
- 3) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON MARCH 7, 2013 AND JANUARY 10, 2014, HAS BEEN REVIEWED BY THIS OFFICE. THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED.
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.
- 4) ABBREVIATIONS:
 - P.B. - PLAT BOOK
 - ORB - OFFICIAL RECORD BOOK
 - PG. - PAGE.
 - PBC - PALM BEACH COUNTY
 - SEC. - SECTION
 - CL - CENTERLINE
 - 'L - LEFT OF CENTERLINE OF CONSTRUCTION
 - 'R - RIGHT OF CENTERLINE OF CONSTRUCTION
 - I.E.E. - INGRESS EGRESS EASEMENT
 - P.R.E. - PRIVATE ROAD EASEMENT
 - SUA - SEACOAST UTILITY AUTHORITY
 - SUAE - SEACOAST UTILITY AUTHORITY EASEMENT
 - (P) - PLAT DIMENSION
 - (C) - CALCULATED DIMENSION
- 5) BEARINGS ARE BASED ON S01°35'37"W (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE WEST LINE OF THE S.W.1/4 OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 43 EAST.

S.E. CORNER OF THE S.E.1/4 OF
SECTION 18/42/43 (NOT FOUND)

PBC POSITION:

N900557.837

E955613.400

(BEARING BASIS)

S01°35'37"W 2668.10(GRID) 2667.98'(GROUND)
W. LINE OF THE S.W.1/4 OF SEC.17/42/43

N902549.522

E955678.815

N.W. CORNER

OF LOT 1

P.O.B.

N.E. CORNER OF THE S.E.1/4 OF
SEC.18/42/43 (NOT FOUND)

PBC POSITION:

N903224.901

955687.601

675.34'(GRID)

675.31'(GROUND)

S88°17'39"E
10.00'



SECTION CORNER TIE-IN
(NOT TO SCALE)



E-Mail: info@brown-phillips.com

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CONGRESS AVENUE EXTENSION
HI ACRES PARK R/W PARCEL 116
(THIS IS NOT A SURVEY)

DRAWN: MDB

CHECKED: JEP

DESCRIPTION NOTES

PROJ. No. 20-098

SCALE: NONE

DATE: 4/1/24

SHEET 3 OF 3

EXHIBIT A
PBC PROJECT NO.2012517
Page 4 of 6

A PARCEL OF LAND FOR DRAINAGE EASEMENT PURPOSES IN THE NORTHWEST QUARTER (N.W.1/4) OF THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY FLORIDA, LYING IN A PARCEL RECORDED IN OFFICIAL RECORD BOOK 33825, PAGE 313 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOTS 5-12, BLOCK B, OF WEST TOWN SITE TO THE LANDS OF PROSPERITY FARMS CO., RECORDED IN PLAT BOOK 6, PAGE 34, OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 12;
THENCE ALONG THE SOUTH LINE OF SAID LOT 12, S88°21'44"E FOR 128.76 FEET;
THENCE N01°35'37"E FOR 344.61 FEET;
THENCE N42°03'14"E FOR 40.10 FEET TO THE WEST RIGHT-OF-WAY OF ACRES WAY, RECORDED IN SAID PLAT OF WEST TOWN SITE TO THE LANDS OF PROSPERITY FARMS CO;
THENCE ALONG SAID WEST RIGHT-OF-WAY, N01°35'37"E FOR 12.13 FEET;
THENCE N88°30'19"W FOR 89.93 FEET;
THENCE S38°35'04"W FOR 107.79 FEET TO THE WEST LINE OF SAID BLOCK B;
THENCE ALONG SAID WEST LINE, S01°35'37"W FOR 300.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 47,761 SQUARE FEET (1.096 ACRES), MORE OR LESS.

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John E Phillips Digitally signed by John E Phillips
Date: 2024.10.21 10:42:15 -04'00'

REVISIONS: 10/17/24 - PBC 9/30/24 COMMENTS

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



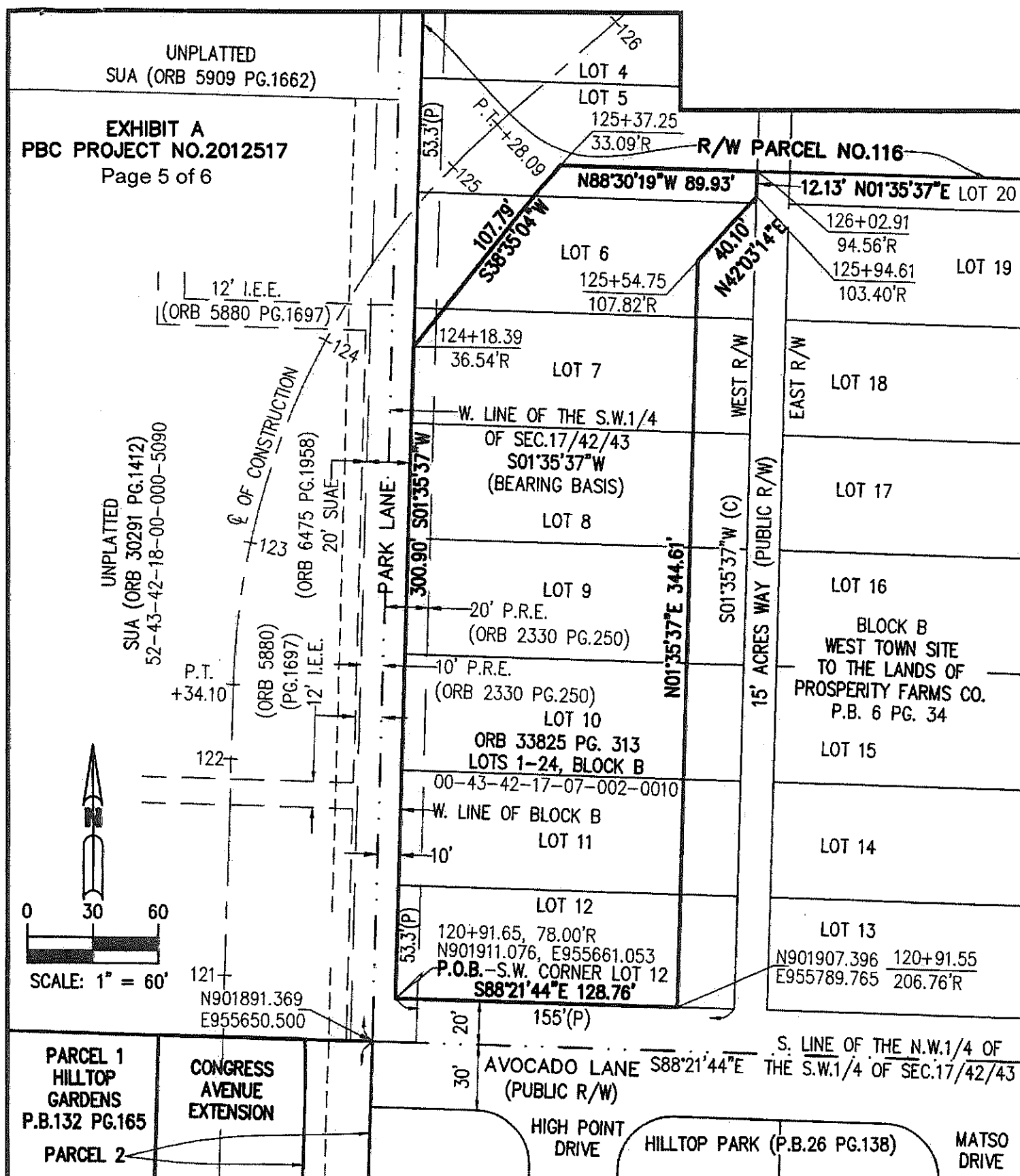
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E-Mail: info@brown-phillips.com

CONGRESS AVENUE EXTENSION
HI ACRES PARK D.E. 216
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 20-098
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 8/28/24
	SHEET 1 OF 3

EXHIBIT A
PBC PROJECT NO.2012517
Page 5 of 6



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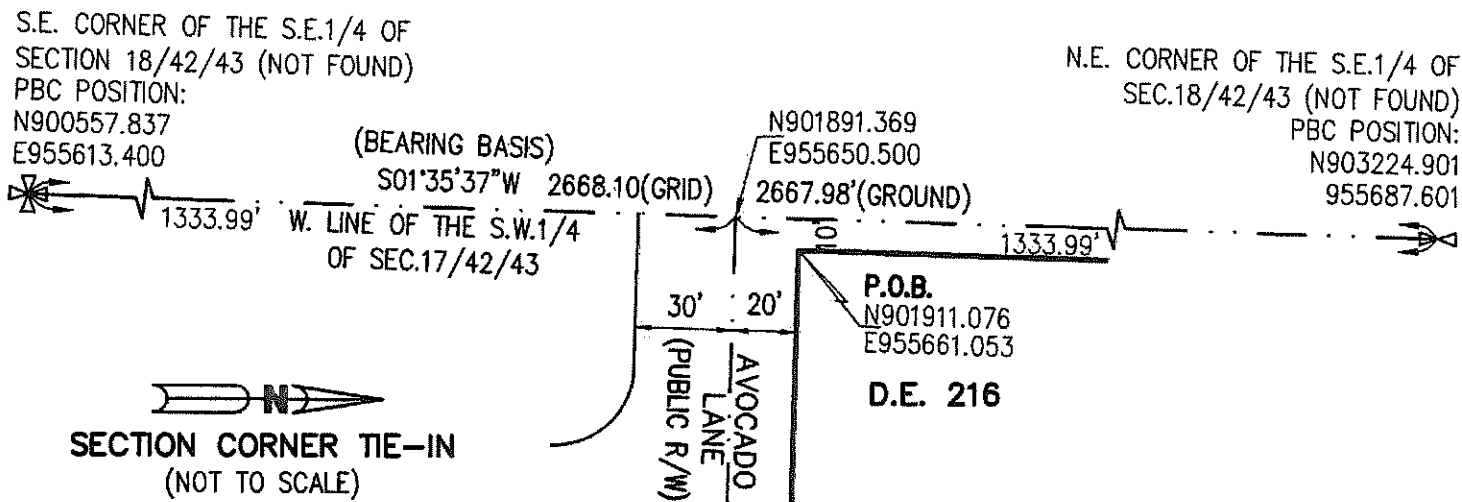
CONGRESS AVENUE EXTENSION
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DRAWN: MDB	PROJ. No. 20-098
CHECKED: JEP	SCALE: 1" = 60'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 8/28/24
	SHEET 2 OF 2

EXHIBIT A
PBC PROJECT NO.2012517
Page 6 of 6

NOTES:

- 1) THE DRAINAGE EASEMENT IS BASED ON A ROADWAY PLAN FOR CONGRESS AVENUE EXTENSION, RICHARD ROAD PORTION, PREPARED BY KIMLEY-HORN INC., PALM BEACH COUNTY PROJECT No.2012517.
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 - I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 - J. ROTATION EQUATION: NONE
- 3) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON MARCH 7, 2013 AND JANUARY 10, 2014, HAS BEEN REVIEWED BY THIS OFFICE. THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED.
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 - D.E. - DRAINAGE EASEMENT
 - (P) - PLAT DIMENSION
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- 5) BEARINGS ARE BASED ON S01°35'37"W (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE WEST LINE OF THE S.W.1/4 OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 43 EAST.



B BROWN & PHILLIPS, INC.
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CONGRESS AVENUE EXTENSION
HI ACRES PARK D.E. 216
(THIS IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 20-098
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 8/28/24
	SHEET 3 OF 3

EXHIBIT "B"

CONGRESS AVENUE EXTENSION, NORTHLAKE BOULEVARD TO ALTERNATE A1A PALM BEACH COUNTY, PROJECT #2012517

SAFETY

Congress Avenue from Northlake Boulevard to Alternate A1A (Project) will be constructed as a new 0.5 mile roadway. The Project to construct a new three (3) lane roadway with shoulders, a center turn lane, curb and gutter, sidewalks, a roundabout, and drainage, is located through a mix of residential and commercial areas. The Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of intersections in the area.

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 constructing this portion of Congress Avenue 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

Congress Avenue from Belvedere Road to Northlake Boulevard is a heavily traveled north/south roadway that passes 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. The Project to extend Congress Avenue from Northlake Boulevard to Alternate A1A will traverse both the City of Palm Beach Gardens and the Village of North Palm Beach. Construction of an alternate north-south route through this area 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 (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

Congress Avenue is an established roadway corridor. The limits of the Project are bordered by existing residential and 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 Congress Avenue within the previously stated project limits:

ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 116

Currently, Palm Beach County owns a road right-of-way interest on Richard Road that varies in width from approximately 20 feet to 70 feet, between Park Lane and Alternate A1A. The parcel to be acquired abuts Richard Road, represents acquisition outside of the existing right-of-way, and is required to construct a new three lane roadway with shoulders, a center turn lane, curb and gutter, sidewalks, a roundabout, and drainage improvements. Palm Beach County shall acquire Parcel 116 free and clear of all interests in the property referenced in the eminent domain petition.

ACQUISITION OF PERMANENT DRAINAGE EASEMENT PARCEL 216

A permanent drainage easement is required adjacent to the road right-of-way in order to permanently construct, install, operate, and maintain facilities when necessary, which shall include earth embankment fill, drainage facilities for transporting water, both above ground (swales) and buried (pipes and structures) to, and or from, water retention areas, including the right at any time to install, bore, alter, improve, enlarge, add to, change the nature or physical characteristics of, or replace, remove, relocate, maintain and perform any other related activities with reference to such drainage facilities. The described works to be performed on Parcel 216 shall not extend beyond the limits outlined in the legal description of said property, as "**Exhibit A**", attached to the Resolution relating to Parcel 216.

This Permanent Drainage Easement Parcel 216 shall be non-exclusive. However, all interests in Parcel 216, including the interests of the heirs, successors, and assigns of any current interest holder, shall permanently be subordinate to Palm Beach County's interest in Parcel 216 and all interest holders, and their heirs, successors, and assigns, shall be prohibited from interfering with the County's use of Parcel 216 including in any way modifying or damaging the construction on the parcel.