

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

=====

<b>Meeting Date: May 5, 2026</b>	<input checked="" type="checkbox"/> <b>Consent</b>	<input type="checkbox"/> <b>Regular</b>
	<input type="checkbox"/> <b>Workshop</b>	<input type="checkbox"/> <b>Public Hearing</b>

**Department: County Attorney**

=====

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:** a settlement, in the total amount of \$139,387.70 inclusive of attorney’s fees, expert fees, and costs, in the eminent domain action styled Palm Beach County v. Sandra Mayne, et al., Case No.: 502024CA007182XXXMB.

**Summary:** Under the proposed settlement in this pending eminent domain proceeding, compensation for Parcel 217 is \$94,000.00, plus statutory attorney's fee and experts' fees and costs in the amount of \$45,387.70, for a total amount of \$139,387.70. This settlement will completely resolve this eminent domain proceeding as it relates to Parcel 217. Countywide (MM).

**Background and Justification:** On November 2, 2021, the Board approved Resolution R-2021-1654 authorizing the employment of appraisers and other experts and the filing of eminent domain proceedings for the acquisition of Parcel 217, necessary for the improvement (widening to five lanes) of Royal Palm Beach Boulevard, in Palm Beach County, from the M-Canal to south of Orange Boulevard (the “Project”). Thereafter, County proceeded with filing the corresponding eminent domain proceeding to acquire the permanent easement, Parcel 217, to grade a swale and install a wider sidewalk and handrail to provide additional protection for bicyclists and pedestrians along the parcel frontage.

**Attachments:**

1. Budget Availability Statement.
2. Mediated Settlement agreement with proposed Judgment attached.
3. Roadway Plan
4. Location Map
5. Resolution for Parcel 217 with Exhibit “A” and Exhibit “B” (2)

=====

**Recommended By:**  \_\_\_\_\_  
County Attorney

**Date:** 4/10/26

**Approved By:** N/A \_\_\_\_\_  
County Administrator

**Date:** \_\_\_\_\_

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2026	2027	2028	2029	2030
Capital Expenditures	\$139,388	-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-
<b>NET FISCAL IMPACT</b>	<b>\$139,388</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
# 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 3500 Dept 361 Unit 1427 Object 6120

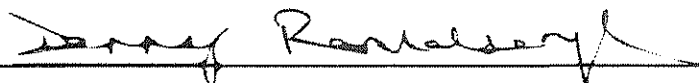
**Recommended Sources of Funds/Summary of Fiscal Impact**

Transportation Improvmt Fund /Royal Palm Beach Blvd. from M-Canal to S. of Orange Blvd Linton Blvd

Parcel No.	TYPE	PCN Number	Parcel Description	Reserved Asset Number	Total
217	Perm. Esmt.	00-41-42-35-00-000-4190	PERMANENT EASEMENT 217 A PORTION OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST PALM BEACH COUNTY FL	M10369	\$ 139,387.70

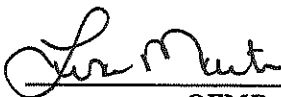

  
 Digitally signed by Angelo DiPiero  
 DN: cn=Angelo DiPiero, o=County of Palm Beach, ou=County Administration, email=Angelo.DiPiero@palmbeach.gov, c=US  
 Date: 2026.04.03 14:26:33-04'00'  
 Palm PDF Editor Version: 12.1.0

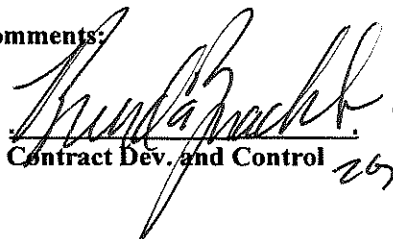
C. Departmental Fiscal Review:



**III. REVIEW COMMENTS**

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


  
 OFMB 4/14/2026  
ESW 4/13/26  
AH 4/13


  
 Contract Dev. and Control 4/15/26  
26 7.14.26

B. Approved as to Form and Legal Sufficiency:

  
 Chief Assistant County Attorney

C. Other Department Review:

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

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



INTEROFFICE COMMUNICATION  
PALM BEACH COUNTY ENGINEERING & PUBLIC WORKS DEPT  
BUDGET AVAILABILITY STATEMENT

**DATE:** April 1, 2026

**TO:** Maureen Martinez  
Chief Assistant County Attorney

**FROM:** Danny Ramlalsingh, Finance Director,  
Engineering & Public Works

A handwritten signature in black ink, appearing to read "Danny Ramlalsingh", is written over the printed name.

**RE:** Palm Beach County v. Elaine Novalien, et al.,  
Case No.: 502024CA007182XXXMB / Parcel 217  
Palm Beach County v. Sandra Mayne. et al  
Project #2014501 / Royal Palm Beach Boulevard from the M Canal to  
South of Orange Boulevard in Palm Beach County

**FISCAL IMPACT ANALYSIS:**

**Budget Account Number:**

Fund	Dept.	Unit	Object	Total
3500	361	1427	6120	\$139,387.70

**Recommended Sources of Fiscal Impact:** Engineering Admin Services Capital Budget

MEDIATED SETTLEMENT AGREEMENT  
(CONTINGENT ON FURTHER APPROVAL)

This Mediated Settlement Agreement (“Agreement”) is made and entered into by PALM BEACH COUNTY (“County”), and John W. Maxwell, II and Lisa Marie Jimenez, Trustees of the John W. Maxwell, II and Lisa Maria Jimenz Living Trust dated July 16, 2003 (“Owners”), pursuant to a mediation conference held on January 14, 2026.

The County’s representatives have agreed to recommend a settlement according to the terms set forth in the Stipulated Partial Final Judgment and Order of Apportionment and Awarding Attorney’s Fees, Experts’ Fees, and Costs as to Parcel 217 (“Judgment”) attached hereto as Exhibit “A” and Owners have agreed to settle this matter according to these terms.

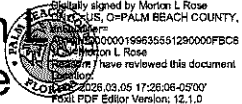
The recommended settlement must be approved by either the Palm Beach County Board of County Commissioners or the County Administrator with the concurrence of the County Attorney and Deputy County Engineer, as appropriate. Accordingly, any settlement is contingent on this approval.

If, and when the settlement is approved, County and Owners shall jointly move for the entry of the Judgment.

PALM BEACH COUNTY

By: **Morton L. Rose**  
Morton L. Rose, P.E. as Director of  
the Roadway Production Division,  
PBC Department of Engineering  
and Public Works

\_\_\_\_\_  
Barry S. Balmuth, B.C.S.  
Counsel for County



\_\_\_\_\_  
John W. Maxwell, II

\_\_\_\_\_  
Lisa Maria Jimenz

\_\_\_\_\_  
Roberto Vargas, Esquire  
Counsel for Owner

**MEDIATED SETTLEMENT AGREEMENT  
(CONTINGENT ON FURTHER APPROVAL)**

This Mediated Settlement Agreement ("Agreement") is made and entered into by PALM BEACH COUNTY ("County"), and ("Owners"), John W. Maxwell, II and Lisa Marie Jimenez, Trustees of the John W. Maxwell, II and Lisa Maria Jimenez Living Trust dated July 16, 2003 ("Owners"), pursuant to a mediation conference held on January 14, 2026.

The County's representatives have agreed to recommend a settlement according to the terms set forth in the Stipulated Partial Final Judgment and Order of Apportionment and Awarding Attorney's Fees, Experts' Fees, and Costs as to Parcel 217 ("Judgment") attached hereto as Exhibit "A" and Owners have agreed to settle this matter according to these terms.

The recommended settlement must be approved by either the Palm Beach County Board of County Commissioners or the County Administrator with the concurrence of the County Attorney and Deputy County Engineer, as appropriate. Accordingly, any settlement is contingent on this approval.

If, and when the settlement is approved, County and Owners shall jointly move for the entry of the Judgment.

PALM BEACH COUNTY

By: \_\_\_\_\_  
Morton L. Rose, P.E. as Director of  
the Roadway Production Division,  
PBC Department of Engineering  
and Public Works

BARRY BALMUTH

Barry S. Balmuth, B.C.S.  
Counsel for County

John W. Maxwell, II  
John W. Maxwell, II

Lisa Jimenez  
Lisa Maria Jimenez

Roberto Vargas  
Roberto Vargas, Esquire  
Counsel for Owner

#7661107 v1 31036-00001

# EXHIBIT A

**IN THE CIRCUIT COURT OF THE  
15TH JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA**

**CASE NO.: 502024CA007182  
PARCEL 217**

**PALM BEACH COUNTY,**

**Petitioner,**

**v.**

**SANDRA MAYNE, et al.,**

**Defendants.**

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**STIPULATED PARTIAL FINAL JUDGMENT AND ORDER  
OF APPORTIONMENT AND AWARDED ATTORNEY'S FEES,  
EXPERTS' FEES, AND COSTS AS TO PARCEL 217**

**THIS CAUSE** having come before the Court on the Joint Motion and Stipulation of the parties, Petitioner, Palm Beach County ("County"), and Defendants, John W. Maxwell, II and Lisa Maria Jimenez, Trustees of the John W. Maxwell, II and Lisa Maria Jimenez Living Trust Dated July 16, 2003 (collectively, the "Trustees"), for the entry of this Stipulated Partial Final Judgment and Order of Apportionment, Disbursement, and Awarding Attorney's Fees, Experts' Fees, and Costs as to Parcel 217 ("Final Judgment") and the Court being fully advised in the premises, it is hereby:

**ORDERED AND ADJUDGED** as follows:

1. This is an eminent domain proceeding wherein, pursuant to that Uncontested Order of Taking entered in this proceeding ("Order of Taking") acquired a permanent easement designated as Parcel 217 on property owned by the Trustees.

2. The Trustees shall recover from County the sum of **NINETY-FOUR THOUSAND DOLLARS AND NO CENTS (\$94,000.00)** for the taking of Parcel 217 and any improvements acquired, damages to the remaining property including damages to improvements and trade fixtures caused by the taking, costs to cure any damages, relocation costs and any and all other damages which may be caused or have been caused by or related to the taking of Parcel 217 and the County's use of Parcel 217, any statutory interest, and for any other claims or counter claims which were brought or could have been brought by Trustees caused by or related to the taking of Parcel 217 exclusive of attorney's fees and costs.

3. The above recovery is inclusive of the amounts previously deposited pursuant to the Order of Taking, \$58,300.00 which has already been paid to Trustee.

4. Trustees are the only parties with an interest in Parcel 217. Accordingly, all of the compensation referred to in paragraph 2, above is finally apportioned to the Trustees.

5. **TRUSTEES** shall also recover from County the sum of **SEVENTEEN THOUSAND SEVEN HUNDRED EIGHTY-THREE DOLLARS AND SEVENTY CENTS (\$17,783.70)**, as full and complete attorney's fees, and **TWENTY-SEVEN THOUSAND SIX HUNDRED AND FOUR DOLLARS AND NO CENTS (\$27,604.00)**, as full and complete expert fees and costs.

6. Within thirty (30) days of its receipt of a certified copy of this Final Judgment, County shall pay the sum of **EIGHTY-ONE THOUSAND AND EIGHTY-SEVEN DOLLARS AND SEVENTY CENTS (\$81,087.70)** representing the recovery pursuant to paragraph 2, above, less the amount previously deposited, together with attorney's fees and expert fees and costs, by making a check for this amount payable to the Jones Foster Trust Account and

mailing same to Roberto M. Vargas, Esquire, Jones Foster, 505 S. Flagler Drive, Suite 1100, West Palm Beach, FL 33401 for further disbursement.

7. Within thirty (30) days of the entry of this Final Judgment, Trustees shall complete and execute in front of witnesses, the agreement for a Right to Enter and Restore attached hereto as Exhibit "1" and County shall build the Royal Palm Beach Boulevard project in the area of Parcel 217 in material conformity with the portions of the construction plans attached hereto as Exhibit "2."

8. There shall be no further compensation for or relating to the taking of Parcel 217.

9. The Order of Taking is approved, ratified, and confirmed.

10. This Final Judgment shall not affect the compensation relating to any other parcels in this action.

11. The Court shall retain jurisdiction to enforce the terms of this Final Judgment and over any apportionment proceedings.

**DONE AND ORDERED** in West Palm Beach, Palm Beach County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Copies to all parties on the following service list

Barry S. Balmuth, Esquire, Barry S. Balmuth, P.A., 604 Lighthouse Drive, North Palm Beach, FL 33408; [barryb@flboardcertifiedlawyer.com](mailto:barryb@flboardcertifiedlawyer.com); [karenb@flboardcertifiedlawyer.com](mailto:karenb@flboardcertifiedlawyer.com)  
*Attorney for Palm Beach County*

Roberto M. Vargas, Esquire, Jones Foster, 505 S. Flagler Drive, Suite 1100, West Palm Beach, FL 33401; Telephone (561)659-3000; [rvargas@jonesfoster.com](mailto:rvargas@jonesfoster.com), [mmacfarlane@jonesfoster.com](mailto:mmacfarlane@jonesfoster.com)  
*Attorney for Sandra Mayne (P215); John W. Maxwell, II, Trustee and Lisa Maria Jimenez, Trustee of the John W. Maxwell, II and Lisa Marie Jimenez Living Trust Dated July 16, 2003 (P217)*

# EXHIBIT 1

**RIGHT TO ENTER AND RESTORE**

**PROJECT NO.: 2014501**

**PROJECT NAME: Royal Palm Beach Boulevard**

**JOB LIMITS: M Canal to south of Orange Boulevard**

**OWNER: JOHN W. MAXWELL, II AND LISA MARIA JIMENEZ, TRUSTEES OF THE JOHN W. MAXWELL, II AND LISA MARIA JIMENEZ LIVING TRUST DATED JULY 16, 2003**

**PROPERTY ADDRESS: 6579 Royal Palm Beach Boulevard, Royal Palm Beach, Florida**

PERMISSION IS HEREBY GRANTED, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to **PALM BEACH COUNTY** ("County"), and County's employees, agents, contractors, sub-contractors and/or assigns by **JOHN W. MAXWELL, II AND LISA MARIA JIMENEZ, TRUSTEES OF THE JOHN W. MAXWELL, II AND LISA MARIA JIMENEZ LIVING TRUST DATED JULY 16, 2003** ("Owner") to enter onto and restore property described as follows:

In order that County may create a more gradual slope on Owner's Property, a ten-foot-wide area to the west of the permanent easement designated as Parcel 217 will be necessary to:

(Check all that apply)

- Slope and grade to harmonize with the construction
- Perform drainage modifications
- Perform driveway modifications
- \_\_\_\_\_

NOW, THEREFORE, WITNESSETH, the Owner or the Owner's undersigned agent hereby grants unto the County and the County's employees, agents, contractors, sub-contractors and/or assigns, the irrevocable permission and right to enter upon and restore the abutting land of the Owner.

The irrevocable permission granted above shall not extend beyond a distance of **ten feet** from the west boundary of Parcel 217 as required for the purposes described herein.

IT IS FURTHER UNDERSTOOD AND AGREED by the Owner that the right to enter and restore granted herein is irrevocable and shall cease upon the completion and acceptance of the construction by the County.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
John W. Maxwell, Trustee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Lisa Maria Jimenez, Trustee

\_\_\_\_\_  
Date

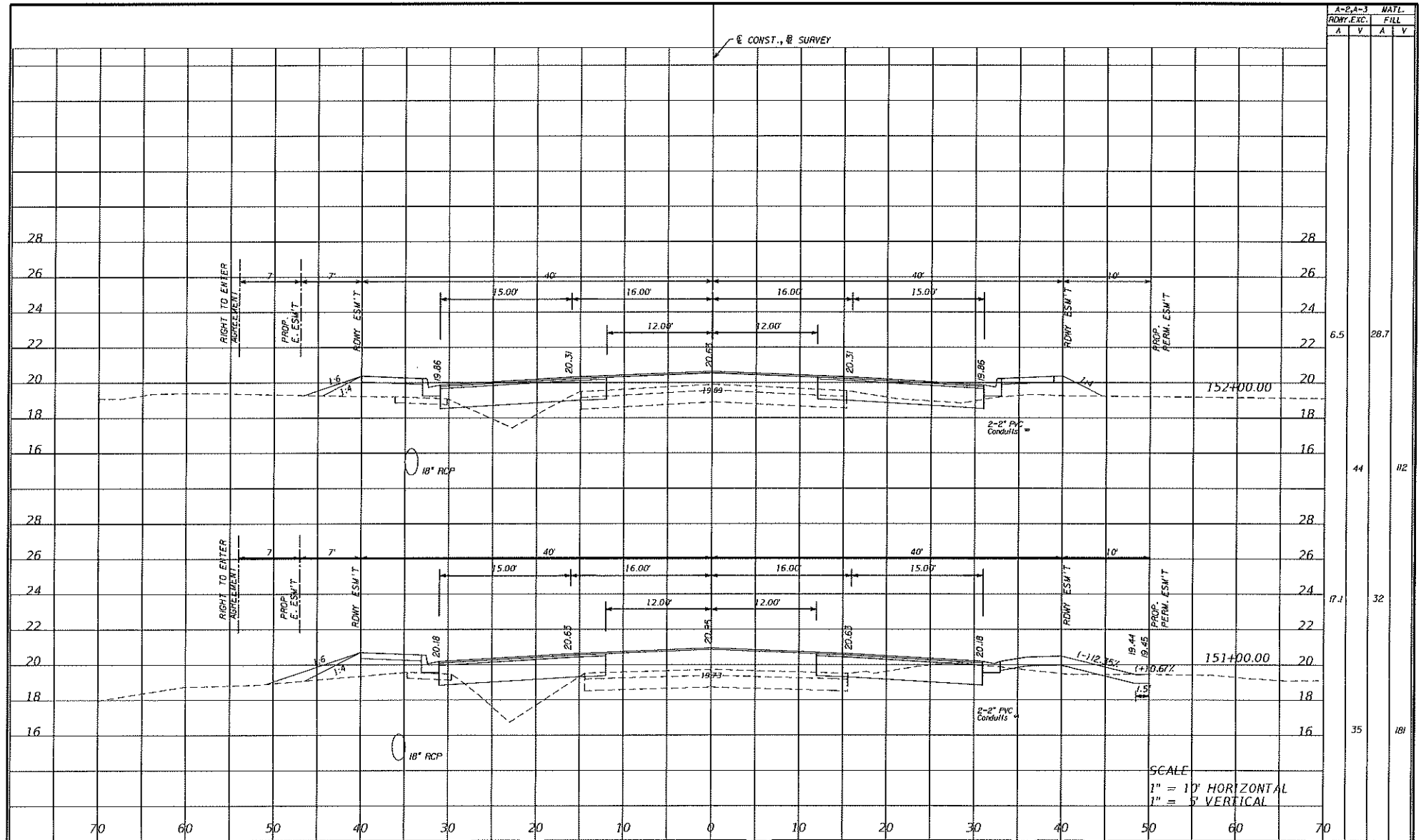
\_\_\_\_\_  
Print Name of Witness

Name and Telephone Number of Contact Person:

\_\_\_\_\_

## EXHIBIT 2





A-2, A-3		MATL.	
RDWAY EXC.	FILL	A	V
6.5	28.7		
44	112		
17.1	32		
35	181		

**K-F GROUP, INC.**  
CONSULTING ENGINEERS

ADDRESS:  
1271 FOREST HILL BOULEVARD, SUITE 1217  
WELLINGTON, FLORIDA 33414  
CERTIFICATE OF AUTHORIZATION NO. 7136  
ENGINEER OF RECORD:  
ISAR C. ZOR, P.E.  
FLORIDA REGISTRATION NO. 45248

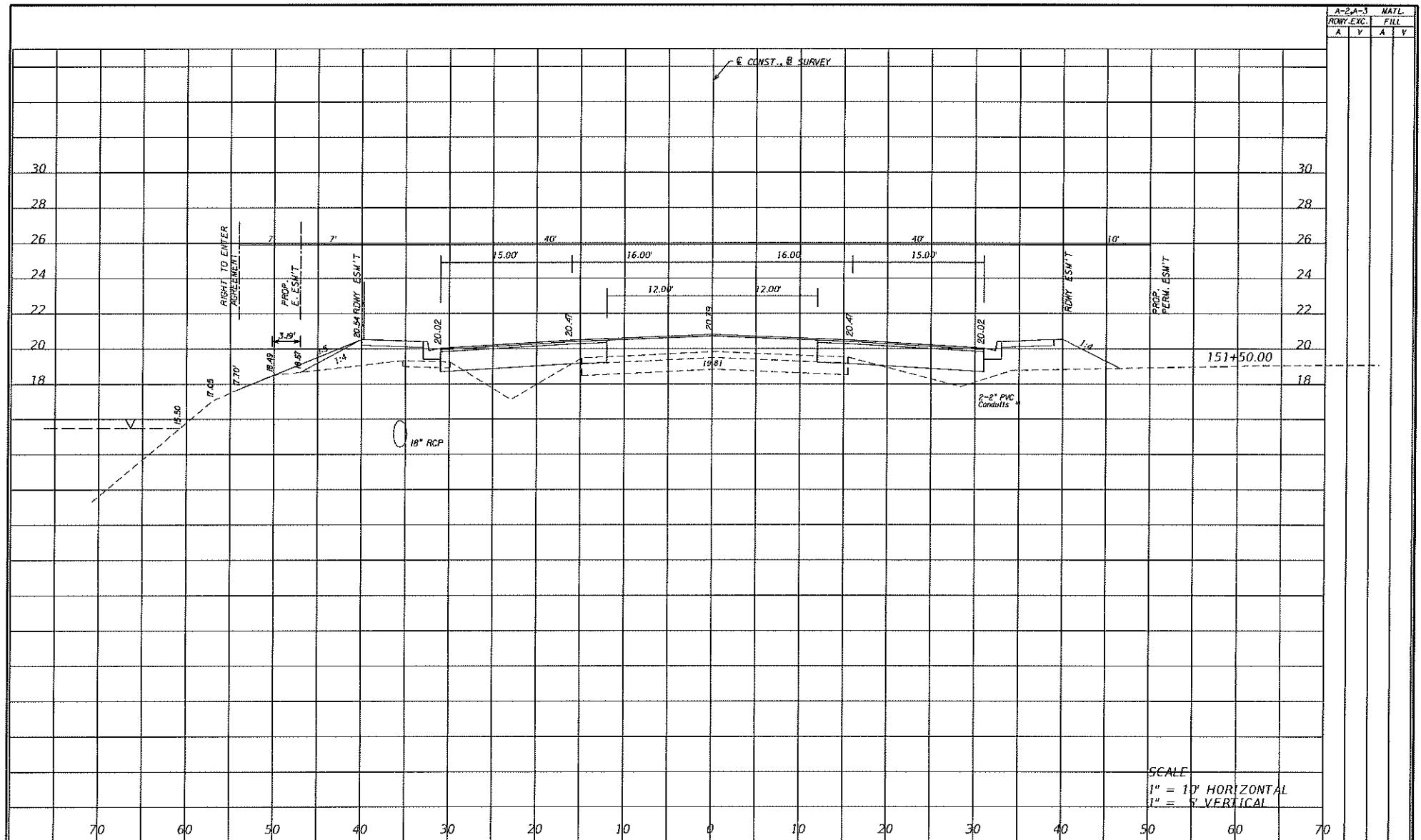
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Approved: JK  
Drawn: EK  
Checked: CJ  
Date: 03/20/18

No.	Revision	By	Date

**PALM BEACH COUNTY**  
ENGINEERING AND PUBLIC WORKS  
**ROADWAY PRODUCTION**  
P.O. BOX 3129, WEST PALM BEACH, FLORIDA

**ROYAL PALM BEACH BOULEVARD**  
(W-CANAL TO S. OF ORANGE BOULEVARD)  
CROSS SECTIONS

Sheet: 09  
or:  
Project No.: 204504



A-2-A-3		MATL.	
NOV. EXC.	FILL		
A	Y	A	Y

SCALE  
 1" = 10' HORIZONTAL  
 1" = 5' VERTICAL

**K-F GROUP, INC.**  
 CONSULTING ENGINEERS

ADDRESS:  
 12771 FOREST HILL BOULEVARD, SUITE 1217  
 WELLINGBORO, FLORIDA 31814  
 CERTIFICATE OF AUTHORIZATION NO. 7236  
 ENGINEER OF RECORD:  
 BRUCE A. KYLE, P.E.  
 FLORIDA REGISTRATION NO. 43310

Scale:  
 Approved: HK  
 Drawn: EK  
 Checked: CJ  
 Date: 01/15/20

No.	Revision	By	Date

**PALM BEACH COUNTY**  
 ENGINEERING AND PUBLIC WORKS  
**ROADWAY PRODUCTION**  
 P.O. BOX 1129, WEST PALM BEACH, FLORIDA

**ROYAL PALM BEACH BOULEVARD**  
 (W-CANAL TO S. OF ORANGE BOULEVARD)  
 CROSS SECTIONS

Sheet: 69A  
 of:  
 Project No.: 201450

COMPONENTS OF CONTRACT PLANS SET  
ROADWAY PLANS

SIGNING AND PAVEMENT MARKING PLANS  
(FOR REFERENCE ONLY)

# COUNTY OF PALM BEACH STATE OF FLORIDA

BOARD OF COUNTY COMMISSIONERS

PROJECT NO. 2014501

## ROYAL PALM BEACH BOULEVARD

(M-CANAL TO S. OF ORANGE BOULEVARD)

HAL R. VALECHE  
DISTRICT 1

GREGG K. WEISS  
DISTRICT 2

DAVE KERNER  
DISTRICT 3

ROBERT S. WEINROTH  
DISTRICT 4

MARY LOU BERGER  
DISTRICT 5

MELISSA MCKINLAY  
DISTRICT 6

MACK BERNARD  
DISTRICT 7



PREPARED FOR PALM BEACH COUNTY  
ROADWAY PRODUCTION DIV. BY:



12773 FOREST HILL BOULEVARD, SUITE 1217  
WELLINGTON, FLORIDA 33411  
Phone: (561) 793-0605  
Fax: (561) 839-5888

CERTIFICATE OF AUTHORIZATION NO. 7736

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH  
AND ARE GOVERNED BY THE STATE OF FLORIDA, DEPARTMENT  
OF TRANSPORTATION, ROADWAY AND TRAFFIC DESIGN STANDARDS  
& SUPPLEMENTS (LATEST EDITION)

GOVERNING SPECIFICATIONS ARE CONTAINED IN THE CONTRACT  
DOCUMENTS FOR THIS PROJECT.

ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS  
MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION.  
THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

FINAL PLAN  
(OCTOBER 2021)

	LENGTH OF PROJECT	
	LINEAR FT.	MILES
ROADWAY	4,549.70	0.862
BRIDGES	0.00	0.000
NET LENGTH OF PROJ.	4,549.70	0.862
EXCEPTIONS	0.00	0.000
GROSS LENGTH OF PROJ.	4,549.70	0.862

ENGINEERING CERTIFICATION :

I hereby certify that the attached plans and design are  
in substantial compliance with the Design Standards and  
Criteria in effect on this date for Palm Beach County  
Engineering Department and the State of Florida  
Department of Transportation.

ENGINEER OF RECORD : K-F GROUP, INC.

DATE :

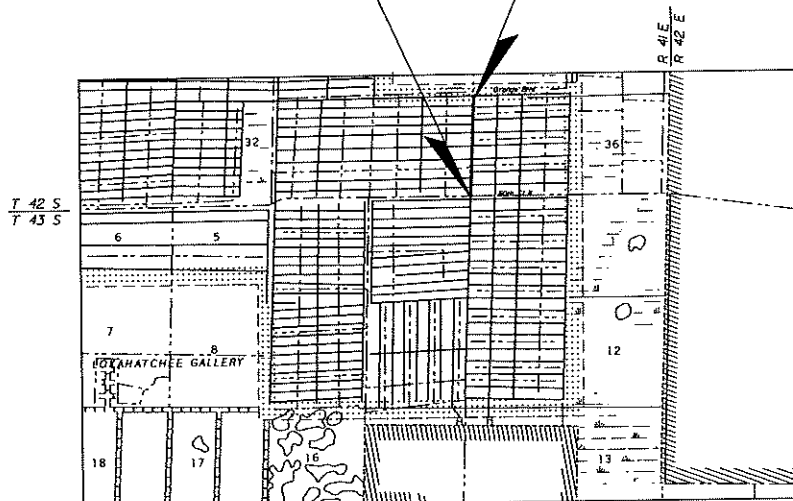
HIAN C. KOR, P.E.  
FLORIDA REGISTRATION No : 45280

INDEX OF SHEETS

- 1 Key Sheet
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- 4 - 7 Typical Sections
- 8 General Notes & Details
- 9 - 10 Summary of Quantities
- ~~11 - 12 Project Network Control~~
- 13 - 13A Drainage Details
- 14 - 16 Canal Expansion Details
- 17 - 27 Roadway Plan-Profiles
- 28 - 30 Intersecting Side Street Profiles
- 31 - 56 Driveway Profiles
- 57 - 80 Cross Sections
- 80A - 80C Canal Cross Drains
- 81 - 94 Stormwater Pollution Prevention Plan
- 95 - 103 Roadway Soil Survey
- SUR 1 - SUR 6 Specific Purpose Survey

BEGIN PROJECT  
STA 122+01.55  
(E CONST.)

END PROJECT  
STA 167+51.25  
(E CONST.)



SEC. 35 / TWP. 42 S / RGE. 41 E

LOCATION MAP  
N. T. S.

NOTE: THESE PLANS HAVE BEEN PREPARED BASED ON  
NAVD88 DATUM. CONVERSION FACTOR BETWEEN  
NAVD88 AND NGVD29 IS (-)1.434'.  
(I.e. NAVD88 ELEV. = NGVD29 ELEV. - 1.434')

(UPDATED JANUARY 2026)

PALM BEACH COUNTY  
ENGINEERING AND PUBLIC WORKS  
ROADWAY PRODUCTION  
P. O. BOX 2129, WEST PALM BEACH, FLORIDA

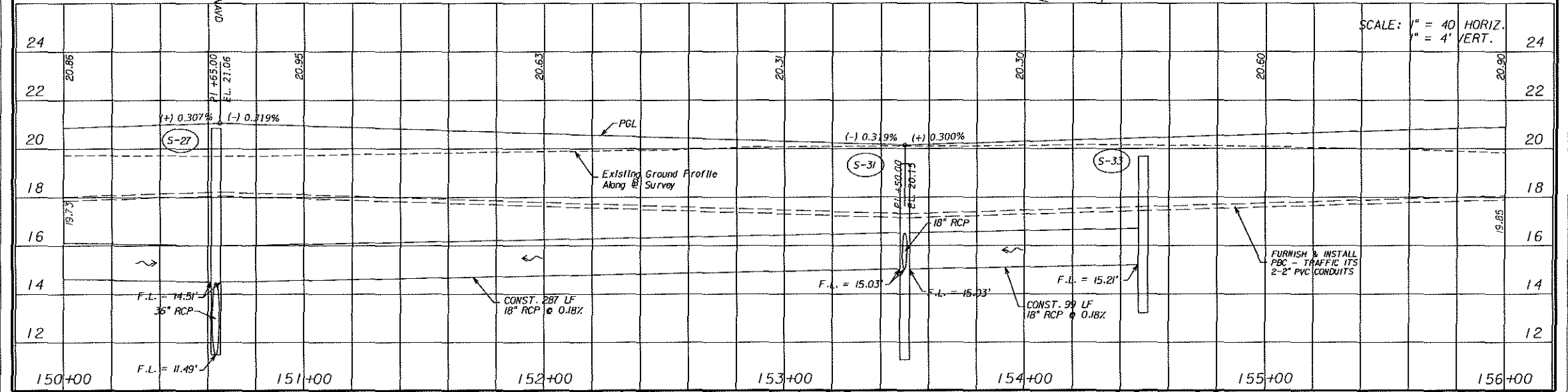
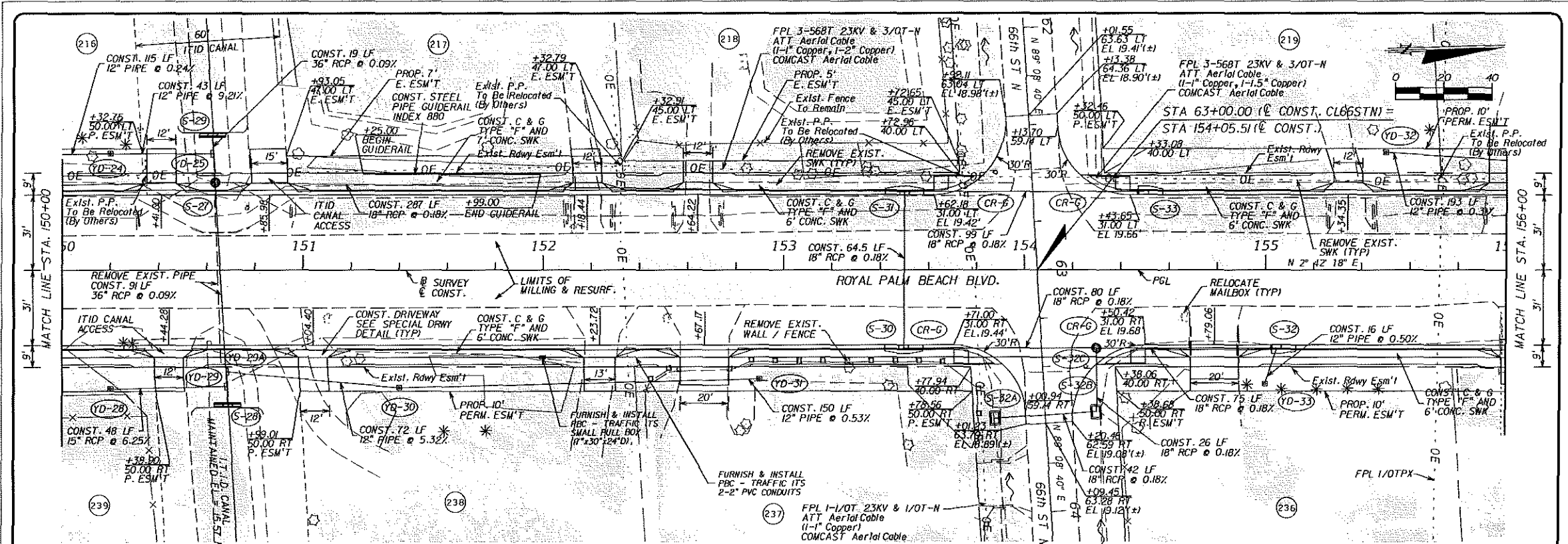


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By	
Revision	
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Approved: HK	
Drawn: EK	
Checked: CJ	
Date: 4/12/18	

ATTACHMENT 3

Project:	ROYAL PALM BEACH BOULEVARD (M-CANAL TO S. OF ORANGE BLVD.)
----------	---

Sheet:	1
Of:	
Project No.:	2014501



**K-F GROUP, INC.**  
CONSULTING ENGINEERS

ADDRESS:  
12773 FOREST HILL BOULEVARD, SUITE 1217  
WELLINGTON, FLORIDA 33414  
CERTIFICATE OF AUTHORIZATION NO. 7736  
ENGINEER OF RECORD:  
IAN C. KOR, P.E.  
FLORIDA REGISTRATION NO. 45280

Scale:  
Approved: HK  
Drawn: DP  
Checked: CJ  
Dates: 10/01/11

No.	Revision	By	Date

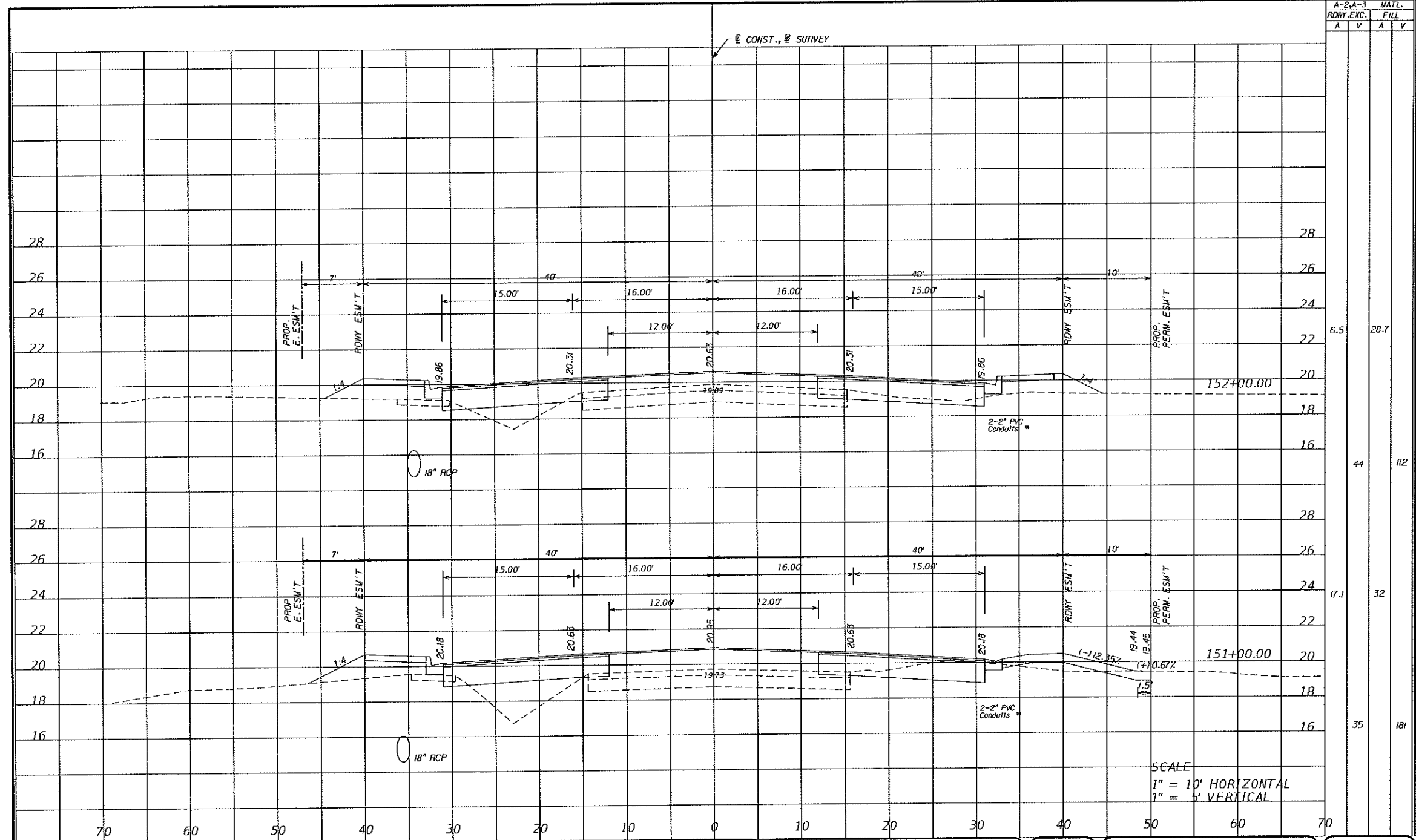
**PALM BEACH COUNTY**  
ENGINEERING AND PUBLIC WORKS  
**ROADWAY PRODUCTION**  
P.O. BOX 21295, WEST PALM BEACH, FLORIDA

**ROYAL PALM BEACH BOULEVARD**  
(IN-CANAL TO S. OF ORANGE BOULEVARD)  
PLAN AND PROFILE

Sheet: 22  
Of:  
Project No.: 2014501



A-2A-3		MATL.	
RDWY. EXC.		FILL	
A	V	A	V



6.5	28.7		
44	112		
17.1	32		
35	181		

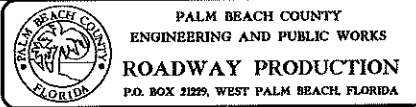
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 1" = 5' VERTICAL



ADDRESS:  
 12773 FOREST HILL BOULEVARD, SUITE 1217  
 WELLINGTON, FLORIDA 33414  
 CERTIFICATE OF AUTHORIZATION NO. 7736  
 ENGINEER OF RECORD:  
 HAN C. KOR, P.E.  
 FLORIDA REGISTRATION NO. 45280

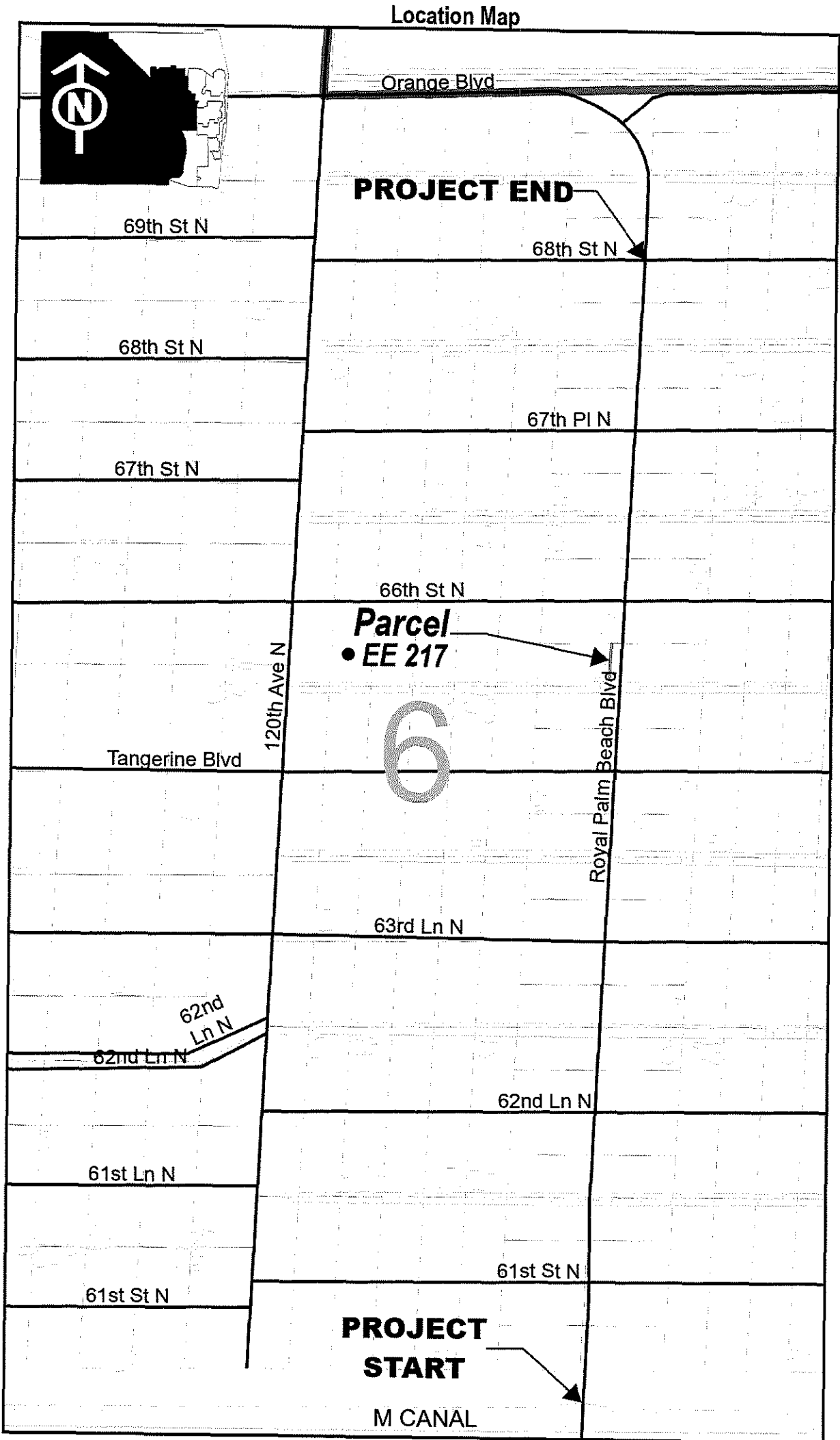
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No.	Revision	By	Date

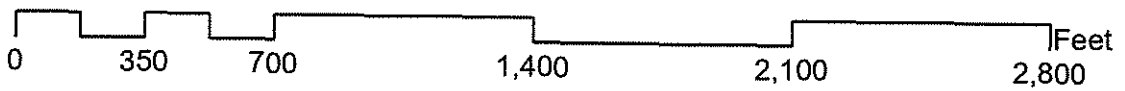


ROYAL PALM BEACH BOULEVARD  
 (W-CANAL TO S. OF ORANGE BOULEVARD)  
 CROSS SECTIONS

Sheet: 69  
 of:  
 Project No.: 2014501



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RESOLUTION NO. R2021- 1654

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 217, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON ROYAL PALM BEACH 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 has recommended the acquisition of a permanent easement designated as Parcel 217, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

**WHEREAS**, the parcel is necessary for the construction and improvement of Royal Palm Beach Boulevard from the M Canal to south of Orange Boulevard (Project); and

**WHEREAS**, the funds are available for the acquisition of a permanent easement designated as Parcel 217; and

**WHEREAS**, the property owner has not accepted the offer to purchase Parcel 217 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(1), Florida Statutes, as amended; and

**WHEREAS**, in determining to proceed with the Project, and determining the Project's location, including Parcel 217, the BCC has considered the required factors pursuant to Florida Law, including safety, costs, alternate routes or methodologies, long range plans, and the environment, as applicable to this parcel, more fully described in Exhibit "B"; and

**WHEREAS**, after considering the factors as set forth above, the BCC has determined that the acquisition of Parcel 217 is necessary for the construction and improvement of Royal Palm Beach Boulevard, and is for a public use and purpose deemed to be in the best interest of the County; and

**WHEREAS**, the proposed construction on and use of Parcel 217 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 on property described in Exhibit "A" to be acquired through Eminent Domain as authorized by this Resolution, is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida Law, to the extent they may apply; and

**WHEREAS**, in order to accomplish the acquisition of Parcel 217, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain Proceedings, using outside counsel to the extent they deem appropriate, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

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

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to proceed to take all necessary steps, using outside counsel to the extent they deem appropriate, including the hiring of accountants, appraisers, or other experts and witnesses, for the County to acquire in its own name by donation, purchase, or Eminent Domain Proceedings, the real property described in Exhibit "A", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.

3. The County Engineer and County Attorney are hereby further authorized and directed to take such further actions, using outside counsel to the extent they deem appropriate, as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "A" that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the permanent easement, designated as Parcel 217, on property described in Exhibit "A" is to be used for the following public use and purpose: a permanent easement necessary for the construction and improvement of Royal Palm Beach Boulevard from the M Canal to south of Orange Boulevard.


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

Commissioner Dave Kerner, Mayor	<u>Aye</u>
Commissioner Robert S. Weinroth, Vice Mayor	<u>Aye</u>
Commissioner Maria G. Marino	<u>Absent</u>
Commissioner Gregg K. Weiss	<u>Aye</u>
Commissioner Maria Sachs	<u>Aye</u>
Commissioner Melissa McKinlay	<u>Aye</u>
Commissioner Mack Bernard	<u>Aye</u>


The Mayor thereupon declared the Resolution duly passed and adopted this 2nd day of November, 2021

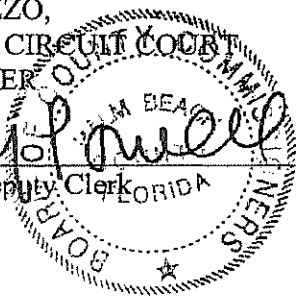
PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA,  
BY AND THROUGH ITS BOARD OF COUNTY  
COMMISSIONERS

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY



By:   
Assistant County Attorney

JOSEPH ABRUZZO,  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

By:   
Deputy Clerk



APPROVED AS TO TERMS  
AND CONDITIONS

By:   
Division Director  


**EXHIBIT "A"**  
**PAGE 1 OF 3**

**ROYAL PALM BEACH BLVD.**

**EMBANKMENT EASEMENT 217**

**A PORTION OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST  
PALM BEACH COUNTY, FLORIDA**

**LEGAL DESCRIPTION:**

A PARCEL OF LAND FOR EMBANKMENT EASEMENT PURPOSES IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. ALSO KNOWN AS LOT 1674 AS SHOWN ON THE UNRECORDED PLAT OF ROYAL PALM BEACH COLONY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 35; THENCE SOUTH 88°52'15" WEST 1312.89 FEET, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35 TO THE INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE SOUTH 02°42'18" WEST 2377.37 FEET, ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER OF SECTION 35; THENCE SOUTH 89°11'23" WEST 40.08 FEET, TO THE INTERSECTION WITH THE WEST LINE OF AN 80 FOOT RIGHT-OF-WAY EASEMENT FOR ROYAL PALM BEACH BOULEVARD AS RECORDED IN O.R.B. 7693, PAGE 1610, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH THE SOUTH LINE OF SAID LOT 1674; THENCE NORTH 02°42'18" EAST 30.06 FEET TO THE INTERSECTION WITH THE NORTH LINE OF A 60 FOOT DRAINAGE EASEMENT AS RECORDED IN O.R.B. 1659, PAGE 1432, BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 89°11'23" WEST 7.01 FEET, ALONG THE NORTH LINE OF SAID 60 FOOT DRAINAGE EASEMENT; THENCE NORTH 02°42'18" EAST 139.74 FEET; THENCE NORTH 89°10'02" EAST 7.01 FEET, ALONG THE NORTH LINE OF SAID LOT 1674; THENCE SOUTH 02°42'18" WEST 139.74 FEET, ALONG THE WEST LINE OF SAID 80 FOOT RIGHT-OF-WAY EASEMENT FOR ROYAL PALM BEACH BOULEVARD, TO THE POINT OF BEGINNING AND CONTAINING 978 SQUARE FEET, OR 0.0224 ACRES MORE OR LESS.

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALSO, THIS SKETCH AND LEGAL COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

**David L.  
Standinger**

Digitally signed by David L. Standinger  
DN: cn=David L. Standinger, o=10,  
ou=ERDMAN ANTHONY OF FLORIDA, INC.,  
email=standinger@erdmananthony.com,  
c=US, 2020.11.02 11:28:50 -0500

DAVID LAWRENCE STANDINGER  
PROFESSIONAL SURVEYOR AND MAPPER  
LICENSE NUMBER L7198  
ERDMAN ANTHONY OF FLORIDA, INC.  
LICENSE BUSINESS NUMBER LB7334  
STATE OF FLORIDA

DATE

**PALM BEACH COUNTY  
ROYAL PALM BEACH BLVD.  
PALM BEACH CO. PROJ. # 2014501**

**ERDMAN  
ANTHONY** 

5405 OKEECHOBEE BLVD., SUITE 200  
WEST PALM BEACH, FL 33417  
© 2020 ERDMAN ANTHONY

**EXHIBIT "A"  
EMBANKMENT EASEMENT 217**

MAP REVISED 10/30/20

60258.00	N/A	09/09/20	1 OF 3
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**EXHIBIT "A"**  
**PAGE 2 OF 3**

**ABBREVIATIONS:**

C = CENTERLINE  
 LT. = LEFT  
 NAD = NORTH AMERICAN DATUM  
 O.R.B. = OFFICIAL RECORD BOOK  
 P.B.C. = PALM BEACH COUNTY  
 P.B.C.R. = PALM BEACH COUNTY RECORDS  
 P.C.N. = PARCEL CONTROL NUMBER  
 PG. = PAGE  
 P.I. = POINT OF INTERSECTION  
 P.O.B. = POINT OF BEGINNING  
 P.O.C. = POINT OF COMMENCEMENT  
 RGE. = RANGE  
 RT. = RIGHT  
 R/W = RIGHT-OF-WAY  
 SEC. = SECTION  
 STA. = STATION  
 TWP. = TOWNSHIP

ENCUMBRANCES		
O.R.B.	PAGE	DISPOSITION
7693	1610	PLOTTED
1659	1432	PLOTTED

**SURVEYOR'S NOTES:**

- BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, HAVING A BEARING OF SOUTH 88°52'15" WEST (NAD83, 1990 ADJUSTMENT) BETWEEN PALM BEACH COUNTY POSITIONS AS PUBLISHED. ALL OTHER BEARINGS ARE RELATIVE THERETO.
- BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR ROYAL PALM BEACH BLVD. FROM M CANAL TO SOUTH OF ORANGE BLVD., PREPARED BY K-F GROUP, INC., PROJECT NO. 2014501, DATED 2017.
- THIS SKETCH IS NOT A SURVEY.
- A TITLE ABSTRACT WAS PROVIDED BY PALM BEACH COUNTY ON 2/9/2015. ERDMAN ANTHONY DID NOT ABSTRACT THE PROPERTY FOR RECORD INSTRUMENTS THAT AFFECT, RESTRICT, OR OTHERWISE ENCUMBER THE SUBJECT TRACT. ALL SURVEY RELATED ENCUMBRANCES AFFECTING THE PROPERTY, IDENTIFIED IN SAID ABSTRACT, ARE SHOWN OR NOTED HEREON.
- IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS, THAT COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.
- STATE PLANE COORDINATES:
  - HORIZONTAL DATUM = NORTH AMERICAN DATUM 1983 (1990 ADJUSTMENT)
  - ZONE = FLORIDA EAST
  - PROJECTION = TRANSVERSE MERCATOR
  - COORDINATES = GRID
  - LINEAR UNITS = US SURVEY FEET
  - ALL DISTANCES ARE GROUND UNLESS OTHERWISE SHOWN
  - SCALE FACTOR = 1.00001430
  - GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
  - ROTATION EQUATION: NONE
- THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=30' OR SMALLER.
- ADDITIONS OR DELETIONS TO THIS MAP AND REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THIS MAP IS NEITHER FULL NOR COMPLETE WITHOUT ALL SHEETS OF THIS SET.

PALM BEACH COUNTY  
 ROYAL PALM BEACH BLVD.  
 PALM BEACH CO. PROJ. # 2014501

**ERDMAN**   
**ANTHONY**

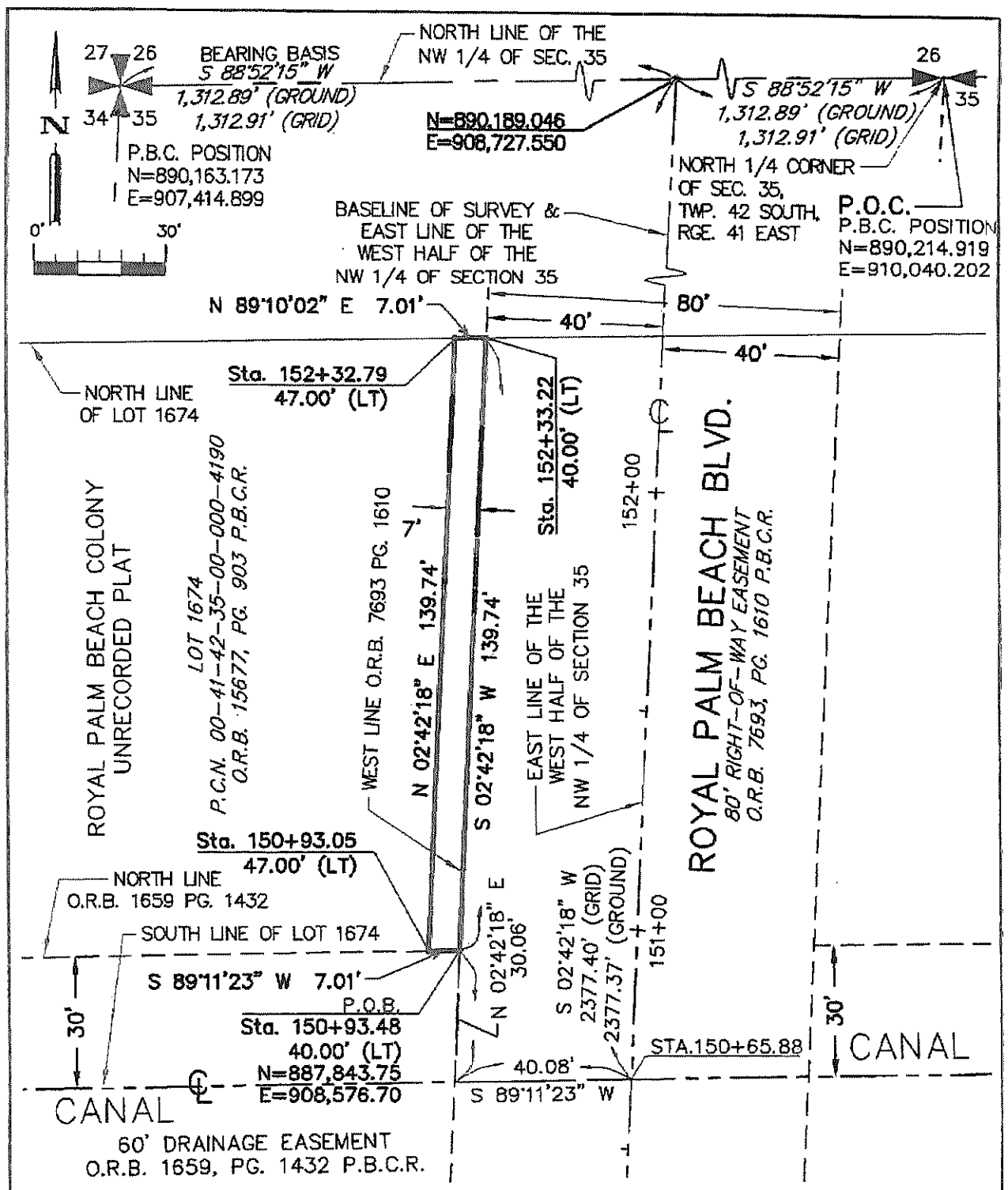
5405 OKEECHOBEE BLVD., SUITE 200  
 WEST PALM BEACH, FL 33417  
 © 2020 ERDMAN ANTHONY

**EXHIBIT "A"**  
**EMBANKMENT EASEMENT 217**

MAP REVISED 10/30/20

60258.00	N/A	09/09/20	2 OF 3
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**EXHIBIT "A"**  
**PAGE 3 OF 3**



<p><b>PALM BEACH COUNTY</b> <b>ROYAL PALM BEACH BLVD.</b> <b>PALM BEACH CO. PROJ. # 2014501</b></p>	<p><b>ERDMAN ANTHONY</b></p> <p>5405 OKEECHOBEE BLVD., SUITE 200 WEST PALM BEACH, FL 33417 © 2020 ERDMAN ANTHONY</p>	<p align="center"><b>EXHIBIT "A"</b> <b>EMBANKMENT EASEMENT 217</b></p> <p align="center">MAP REVISED 10/30/20</p>				
		<table border="1"> <tr> <td>60258.00</td> <td>1" = 30'</td> <td>09/09/20</td> <td>3 OF 3</td> </tr> </table>	60258.00	1" = 30'	09/09/20	3 OF 3
60258.00	1" = 30'	09/09/20	3 OF 3			

**EXHIBIT "B"**  
**ROYAL PALM BEACH BOULEVARD**  
**M-CANAL TO SOUTH OF ORANGE BOULEVARD**  
**PALM BEACH COUNTY PROJECT # 2014501**

**SAFETY**

Royal Palm Beach Boulevard is currently a 2-lane undivided rural roadway. This project will reconstruct Royal Palm Beach Boulevard as a 5-lane undivided roadway with new drainage, 4-foot-wide paved shoulders, and 6-foot-wide sidewalks on both sides of the roadway. The widening of Royal Palm Beach Boulevard to a 5-lane roadway will improve its overall safety, providing additional capacity for vehicular traffic, and facilities for bicyclists and pedestrian users.

The design of the project was completed 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.

**COST**

The cost of improving this portion of Royal Palm Beach Boulevard was estimated prior to beginning design and was updated throughout the design process. The appropriate funding for design, right-of-way acquisition, and construction was budgeted in Palm Beach County's Five-Year Road program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through condemnation.

After considering safety, alternate routes and methodologies, planning, and environmental factors, the cost of the acquisition of these parcels fits into the planned funding for this project, and the acquisition of these parcels is necessary, in furtherance of this public project.

**ALTERNATE ROUTES**

Royal Palm Beach Boulevard is a heavily traveled roadway, which provides a direct north-south route for vehicles traveling through the Acreage community. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined this roadway as a route required to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code, and to address the needs and interests of the County's residents and visitors.

Alternate routes were considered in lieu of improving this project. Construction of an alternate route through the Acreage community would have disrupted or displaced numerous residential properties, would have been more costly, and would have resulted in unnecessary impacts to the environment.

**LONG RANGE PLANNING**

The development of this project is in conformance with Palm Beach County's 2045 Long Range Transportation Plan, which requires an 80 foot wide right-of-way for an ultimate 5-lane roadway. The 2045 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

**ENVIRONMENTAL IMPACTS**

This portion of Royal Palm Beach Boulevard is part of an established corridor, and the proposed improvement will have minimal negative impacts to the environment. This roadway improvement project is expected to be permitted through the appropriate environmental regulatory agencies.

*Following is a more detailed outline of the reasons for acquisition needed for the improvement of Royal Palm Beach Boulevard, from the M-Canal to south of Orange Boulevard.*

**ACQUISITION FOR PERMANENT EASEMENT PARCEL 217**

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade a swale, and install a wider sidewalk and handrail to provide additional protection for bicyclists and pedestrians along the parcel frontage. The described work to be performed within this permanent easement shall not extend beyond the limits outlined in the legal description of said property attached to the Resolution relating to Parcel 217 as **EXHIBIT A**.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, JOSEPH ABRUZZO, Clerk of the Circuit Court &  
Comptroller certify this to be a true and correct copy  
of the original filed in my office

on NOV 02 2021

dated at West Palm Beach, FL on 11/10/2021

By: Bordenkins  
Deputy Clerk