

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

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<b>Meeting Date:</b> October 22, 2024	<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:** 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: two (2) Resolutions declaring the acquisition of properties designated as Parcel 256 as a permanent embankment easement and Parcels 358A and 358B as temporary construction easements, necessary for the construction of roadway improvements on Northlake Boulevard from east of Hall Boulevard to Coconut Boulevard (Project).

**SUMMARY:** Adoption of the Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against three (3) parcels having a total appraised value of \$77,995. The parcels are necessary for the widening and construction of a four-lane and six-lane divided roadway with new drainage, sidewalks, and paved shoulders for the Project. To date, the property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program. District 6 (DO)**

**Background and Justification:** The acquisition of Parcels 256, 358A and 358B is for a public use and purpose, which is deemed to be in the best interest of the County. The Engineering and Public Works Department recommends the Board of County Commissioners' approval.

**Attachments:**

1. Location Map
2. Resolution for Parcel 256 with Exhibit "A" and Exhibit "B" (2)
3. Resolution for Parcels 358A and 358B with Exhibit "A" and Exhibit "B" (2)

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<b>Recommended by:</b>	<i>David L. [Signature]</i>	<u>27 SEP 24</u>
	County Engineer	Date
<b>Approved by:</b>	<i>[Signature]</i>	<u>10/17/24</u>
	Deputy County Administrator	Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	-\$77,995-	-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>	-\$77,995-	-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 3503 Dept 361 Unit 0966 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact  
 Road Impact Fee Zone 3/Northlake Blvd - E of Hall Blvd to Coconut Blvd

Parcel No.	PCN	Appraised Value
256	00-41-42-17-00-000-7920	\$ 75,595.00 - I09032
358A & 358B	00-41-42-17-00-000-7950	\$ 2,400.00
<b>Total Fiscal Impact</b>		<b>\$ 77,995.00</b>

Impact Fee Project Description

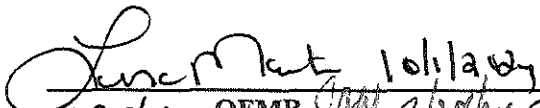
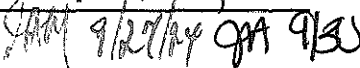

This Resolution to initiate eminent domain proceedings is necessary to undertake right-of-way acquisition for the widening of Northlake Boulevard from east of Hall Boulevard to Coconut Boulevard. The widening will be from 2 lanes to 6 lanes which will provide additional roadway capacity needed to serve new development within Impact Fee Zone 3. Use of Impact Fees is in accordance with Article 13, Chapter A, Section 9 and Chapter H, Section 4 of the ULDC.

 9/27/2024

C. Departmental Fiscal Review:  9/27/24

**III. REVIEW COMMENTS**

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

 10/1/24 MO 9/30 OFMB  9/27/24  10/3/24  
 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



Document Path: N:\R\_O\Wdarren Ross\TEMP\PLATE\location\_Map\_Grapeview\_Bldv\_and\_Northlake\_Bldv-08-12-2021\_Brent\_E.mxd

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

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF PROPERTY DESIGNATED AS PARCEL 256 AS A PERMANENT EMBANKMENT EASEMENT NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE BOULEVARD, FROM EAST OF HALL BOULEVARD TO COCONUT BOULEVARD, TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the Palm Beach County (County) Engineer recommends the acquisition of a permanent embankment easement, designated as Parcel 256, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

**WHEREAS**, the parcel is necessary for the construction of roadway improvements on Northlake Boulevard, east of Hall Boulevard to Coconut Boulevard (Project); and

**WHEREAS**, the funds are available for the acquisition of a permanent embankment easement designated as Parcel 256; 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 Parcel 256, 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 a permanent embankment easement designated as Parcel 256, on property which is 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 Parcel 256 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 embankment 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 256, 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, a permanent embankment easement on the real property described in Exhibit "A", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.

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

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public use and purpose: a permanent embankment 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 Sachs, Mayor \_\_\_\_\_
- Commissioner Maria G. Marino, Vice Mayor \_\_\_\_\_
- Commissioner Gregg K. Weiss \_\_\_\_\_
- Commissioner Michael A. Barnett \_\_\_\_\_
- Commissioner Marci Woodward \_\_\_\_\_
- Commissioner Sara Baxter \_\_\_\_\_
- Commissioner Mack Bernard \_\_\_\_\_

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

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

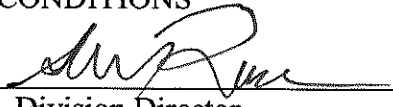
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

JOSEPH ABRUZZO,  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

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

APPROVED AS TO TERMS AND CONDITIONS

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

FAR\_O\_W\Brent\ROADWAY\2003503B Northlake Blvd - E of Hall Blvd to Coconut Blvd\AIS3-C-3(10-22-24)(09-09-24)Resolution 256.BB rev.docx

**EXHIBIT A  
LEGAL DESCRIPTION AND SKETCH  
EE PARCEL 256**

**LEGAL DESCRIPTION:**

A PARCEL OF LAND IN THE WEST 1/2 OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL IS DESCRIBED AS FOLLOWS:

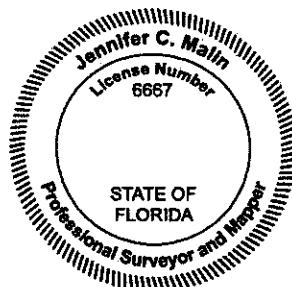
COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 17; THENCE N00°53'56"W, ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 17, A DISTANCE OF 687.91 FEET, TO A LINE LYING 689.37 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, AS MEASURED ALONG THE WEST LINE OF SAID SECTION 17, SAID PARALLEL LINE BEING THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7693, PAGE 1535, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 907.36 FEET, TO A LINE LYING 1772.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 17, AS MEASURED ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT AND THE POINT OF BEGINNING;

THENCE CONTINUE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 209.00 FEET, TO A LINE LYING 1563.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 17, AS MEASURED ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT; THENCE N03°50'06"W, ALONG SAID PARALLEL LINE, A DISTANCE OF 5.01 FEET, TO A LINE LYING 5.00 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE; THENCE S89°59'48"E, ALONG SAID PARALLEL LINE, A DISTANCE OF 209.00 FEET TO SAID LINE LYING 1772.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 17; THENCE S03°50'06"E, ALONG SAID PARALLEL LINE, A DISTANCE OF 5.01 FEET, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,045.00 SQUARE FEET, MORE OR LESS.

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED IN COMPLIANCE WITH RULE 5J-17 FLORIDA ADMINISTRATIVE CODE. PURSUANT TO CHAPTER 472, FLORIDA STATUTES



Digitally signed by Jennifer Malin  
Date: 2023.05.11 16:53:56 -04'00'

JENNIFER C. MALIN, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. LS6667  
STATE OF FLORIDA LB6603

FOR: PROJECT: 2003503B - EE PARCEL 256  
DOMINIC L D'ALLESSIO

SCALE:	N/A
DRAWN BY:	ABB
CHECKED BY:	JCM
DATE:	07/28/2021

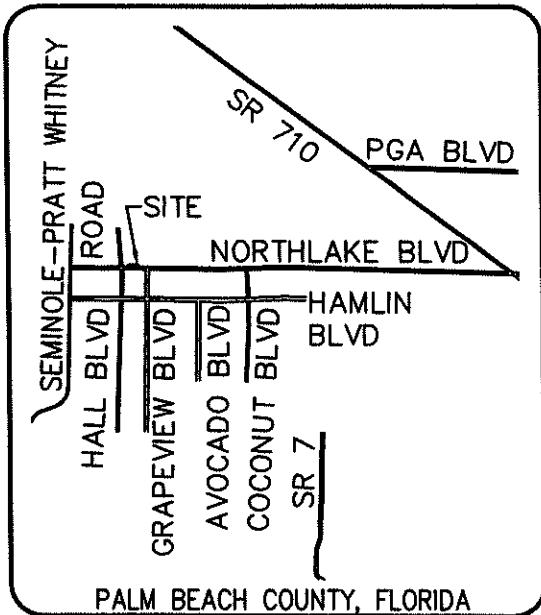
A Higher Standard of Excellence

ENGINEERS SURVEYORS GIS MAPPERS

1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK	SHEET:
N/A	1 / 3
	JOB
	17062.01

**EXHIBIT A  
LEGAL DESCRIPTION AND SKETCH  
EE PARCEL 256**



**ABBREVIATIONS**

- COR - CORNER
- EE - EMBANKMENT EASEMENT
- E - EASTING
- ESMNT - EASEMENT
- LT - LEFT
- N - NORTHING
- N-S - NORTH-SOUTH
- ORB - OFFICIAL RECORDS BOOK
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- PCN - PARCEL CONTROL NUMBER
- PG - PAGE
- R/W - RIGHT-OF-WAY
- SEC - SECTION
- SEC 17-42-41 - SECTION 17, TOWNSHIP 42 SOUTH, RANGE 41 EAST
- SQ. FT. - SQUARE FEET

**LOCATION MAP**  
SCALE 1" = 20000'



**NOTES:**

1. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, FLORIDA EAST ZONE 901, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE SHOWN HAVING A SCALE FACTOR OF 1.0000093 TO GRID.
3. BEARINGS SHOWN HEREON ARE GRID BEARINGS (NAD83/90) AND BASED ON THE PALM BEACH COUNTY SECTION CORNER HISTORY DATA FOR THE SOUTH LINE OF SECTION 17, WHICH BEARS N89°59'48"W. STATE PLANE COORDINATES FOR THE SECTION CORNERS ARE PALM BEACH COUNTY PUBLISHED VALUES.
4. STATIONS SHOWN HEREON ARE BASED ON THE BASELINE OF SURVEY AS SHOWN ON THE RIGHT-OF-WAY PROCUREMENT MAP FOR NORTHLAKE BOULEVARD COUNTY PROJECT NUMBER 2003503B.
5. THIS DOCUMENT DOES NOT REPRESENT A SURVEY OF THE SUBJECT PROPERTY AND IS NOT VALID WITHOUT ALL PAGES.
6. ALL EASEMENTS REFLECTED IN THE TITLE PACKAGE PROVIDED BY PALM BEACH COUNTY ARE REFLECTED HEREON.

FOR: **PROJECT: 2003503B - EE PARCEL 256**  
**DOMINIC L D'ALLESSIO**

SCALE:	N/A
DRAWN BY:	ABB
CHECKED BY:	JCM
DATE:	07/28/2021

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group inc.

ENGINEERS SURVEYORS GIS MAPPERS

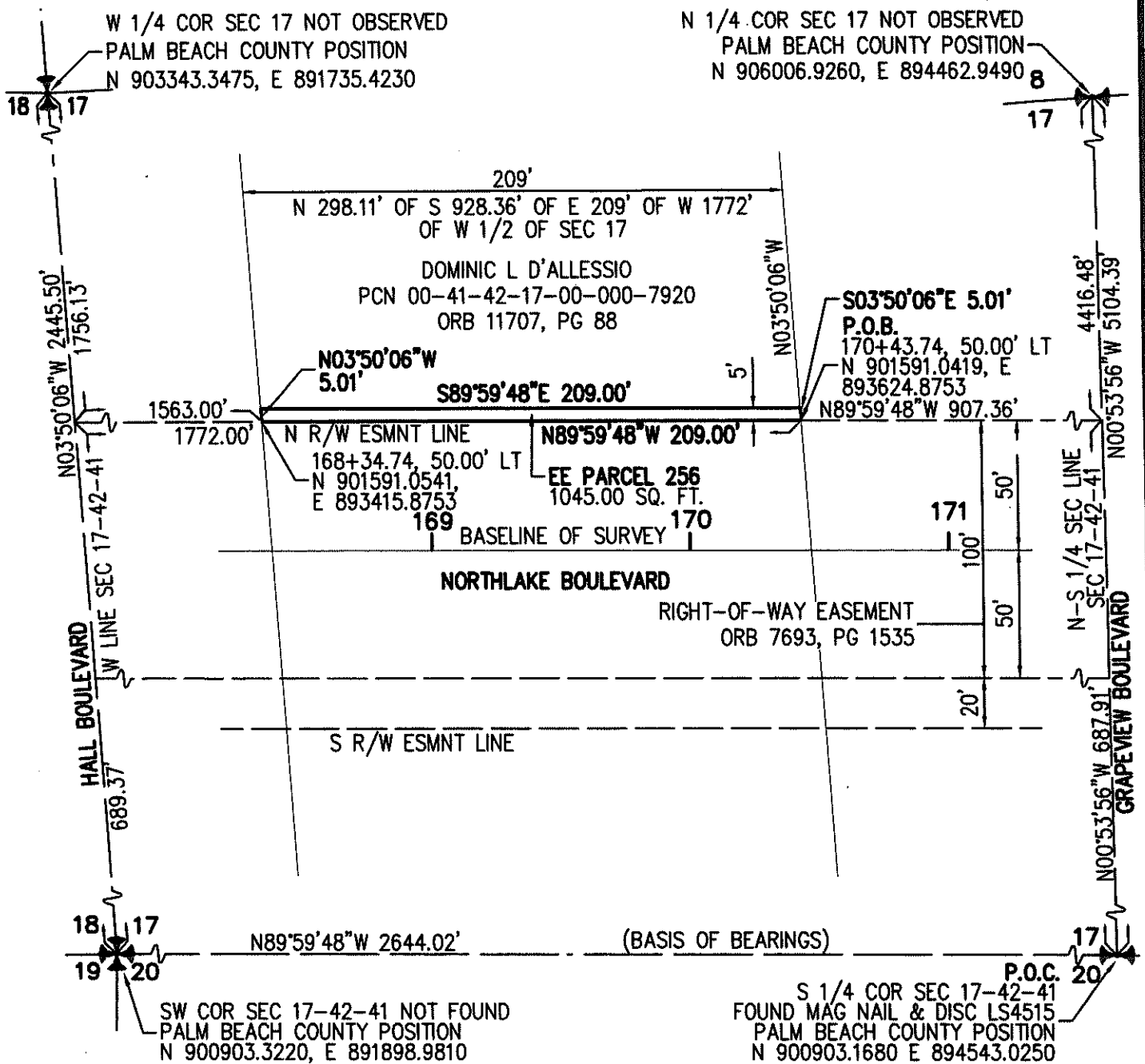
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
PH (561)655-1151 • FAX (561)632-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK	SHEET:
N/A	2 / 3
	JOB
	17062.01

**EXHIBIT A  
LEGAL DESCRIPTION AND SKETCH  
EE PARCEL 256**



0 30 60  
SCALE IN FEET



FOR: **PROJECT: 2003503B – EE PARCEL 256  
DOMINIC L D'ALESSIO**

SCALE:	1" = 60'
DRAWN BY:	ABB
CHECKED BY:	JCM
DATE:	07/28/2021

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**engenuity**  
group inc.

ENGINEERS SURVEYORS GIS MAPPERS

1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
PH (561)655-1151 • FAX (561)832-9380 • WWW.ENGENUITYGROUP.COM

FIELD BOOK N/A	SHEET: 3 / 3
	JOB 17062.01



## **EXHIBIT "B"**

### **NORTHLAKE BOULEVARD EAST OF HALL BOULEVARD TO COCONUT BOULEVARD PALM BEACH COUNTY PROJECT # 2003503B**

#### **SAFETY**

Northlake Boulevard, from east of Hall Boulevard to Coconut Boulevard, is a two-lane undivided paved road. This project, which is approximately 2.02 miles long, will reconstruct the existing roadway to add a closed drainage system and widen it to a four-lane divided roadway from east of Hall Boulevard to east of Grapeview Boulevard, and to a six-lane divided roadway from east of Grapeview Boulevard to west of Coconut Boulevard. Paved shoulders that vary in width from five (5) to seven (7) feet will be provided on both sides of the roadway. A continuous sidewalk that varies in width from six (6) to eight (8) feet will be provided on the south side of the roadway within the project limits, and a six (6) foot wide sidewalk that ends at Grapeview Boulevard will be constructed on the north side. This project will improve the overall safety for motorists, bicyclists and pedestrians.

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 (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

#### **COST**

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

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

#### **ALTERNATE ROUTES**

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

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

#### **LONG RANGE PLANNING**

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

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

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

**ACQUISITION FOR PERMANENT EMBANKMENT EASEMENT PARCEL 256**

The parcel to be acquired represents acquisition outside of the existing right-of-way. It is required to grade two swales to capture and convey storm water drainage from the adjacent property to the Northlake Boulevard storm sewer system that will be discharged to a proposed pond with legal positive outfall to the ITID canal.

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

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF PROPERTIES DESIGNATED AS PARCELS 358A AND 358B AS TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON NORTHLAKE BOULEVARD, FROM EAST OF HALL BOULEVARD TO COCONUT BOULEVARD, TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the Palm Beach County (County) Engineer recommends the acquisition of temporary construction easements, designated as Parcels 358A and 358B, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

**WHEREAS**, the parcels are necessary for the construction of roadway improvements on of Northlake Boulevard, east of Hall Boulevard to Coconut Boulevard (Project); and

**WHEREAS**, the funds are available for the acquisition of the temporary construction easements designated as Parcels 358A and 358B; 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 358A and 358B, 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 the temporary construction easements designated as Parcels 358A and 358B, on property which is 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, purpose, and duration of Parcels 358A and 358B 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 temporary construction easements 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 358A and 358B, 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, temporary construction easements on the real property described in Exhibit "A", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.

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

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public use and purpose: temporary construction easements 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 Sachs, Mayor \_\_\_\_\_
- Commissioner Maria G. Marino, Vice Mayor \_\_\_\_\_
- Commissioner Gregg K. Weiss \_\_\_\_\_
- Commissioner Michael A. Barnett \_\_\_\_\_
- Commissioner Marci Woodward \_\_\_\_\_
- Commissioner Sara Baxter \_\_\_\_\_
- Commissioner Mack Bernard \_\_\_\_\_

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

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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  
LEGAL DESCRIPTION AND SKETCH  
TCE PARCEL 358A**

**LEGAL DESCRIPTION:**

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

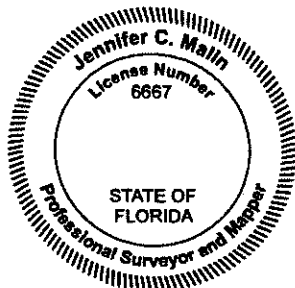
COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 17; THENCE N00°53'56"W, ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 17, A DISTANCE OF 687.91 FEET, TO A LINE LYING 689.37 FEET NORTH OF, AS MEASURED ALONG THE WEST LINE OF SAID SECTION 17, AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, SAID PARALLEL LINE BEING THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7693, PAGE 1535, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 280.36 FEET, TO A LINE LYING 2399.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 17, AS MEASURED ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT; THENCE CONTINUE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 168.74 FEET, TO THE POINT OF BEGINNING;

THENCE CONTINUE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 23.00 FEET; THENCE N00°00'12"E, A DISTANCE OF 10.00 FEET, TO A LINE LYING 10.00 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE; THENCE S89°59'48"E, ALONG SAID PARALLEL LINE, A DISTANCE OF 23.00 FEET; THENCE S00°00'12"W, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 230.00 SQUARE FEET, MORE OR LESS.

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED IN COMPLIANCE WITH RULE 5J-17 FLORIDA ADMINISTRATIVE CODE. PURSUANT TO CHAPTER 472, FLORIDA STATUTES



*J Malin*

Digitally signed by Jennifer Malin  
Date: 2022.05.09 11:37:54 -04'00'

JENNIFER C. MALIN, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. LS6667  
STATE OF FLORIDA LB6603

FOR: PROJECT: 2003503B – TCE PARCEL 358A  
CHERESE BOWE

SCALE:	N/A
DRAWN BY:	JJR
CHECKED BY:	JCM
DATE:	05/07/2022

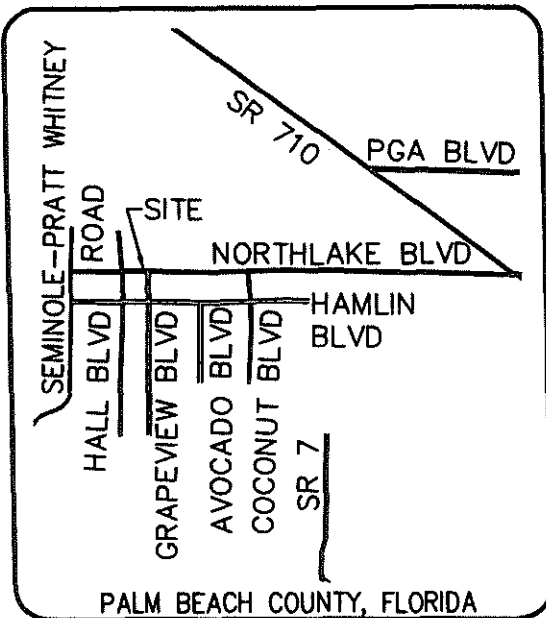
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1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
PH (561)655-1151 • FAX (561)832-9380 • WWW.ENGENUITYGROUP.COM

FIELD BOOK	SHEET:
N/A	1 / 3
	JOB
	17062.01

**EXHIBIT A**  
**LEGAL DESCRIPTION AND SKETCH**  
**TCE PARCEL 358A**



PALM BEACH COUNTY, FLORIDA

**LOCATION MAP**  
 SCALE 1" = 20000'



**ABBREVIATIONS**

- COR - CORNER
- EE - EMBANKMENT EASEMENT
- E - EASTING
- ESMNT - EASEMENT
- LT - LEFT
- N - NORTHING
- N-S - NORTH-SOUTH
- ORB - OFFICIAL RECORDS BOOK
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- PCN - PARCEL CONTROL NUMBER
- PG - PAGE
- R/W - RIGHT-OF-WAY
- SEC - SECTION
- SEC 17-42-41 - SECTION 17, TOWNSHIP 42 SOUTH, RANGE 41 EAST
- SQ. FT. - SQUARE FEET

**NOTES:**

1. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, FLORIDA EAST ZONE 901, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE SHOWN HAVING A SCALE FACTOR OF 1.0000093 TO GRID.
3. BEARINGS SHOWN HEREON ARE GRID BEARINGS (NAD83/90) AND BASED ON THE PALM BEACH COUNTY SECTION CORNER HISTORY DATA FOR THE SOUTH LINE OF SECTION 17, WHICH BEARS N89°59'48"W. STATE PLANE COORDINATES FOR THE SECTION CORNERS ARE PALM BEACH COUNTY PUBLISHED VALUES.
4. STATIONS SHOWN HEREON ARE BASED ON THE BASELINE OF SURVEY AS SHOWN ON THE RIGHT-OF-WAY PROCUREMENT MAP FOR NORTHLAKE BOULEVARD COUNTY PROJECT NUMBER 2003503B.
5. THIS DOCUMENT DOES NOT REPRESENT A SURVEY OF THE SUBJECT PROPERTY AND IS NOT VALID WITHOUT ALL PAGES.
6. ALL EASEMENTS REFLECTED IN THE TITLE PACKAGE PROVIDED BY PALM BEACH COUNTY ARE REFLECTED HEREON.

FOR: **PROJECT: 2003503B - TCE PARCEL 358A**  
**CHERESE BOWE**

SCALE:	N/A
DRAWN BY:	JJR
CHECKED BY:	JCM
DATE:	05/07/2022

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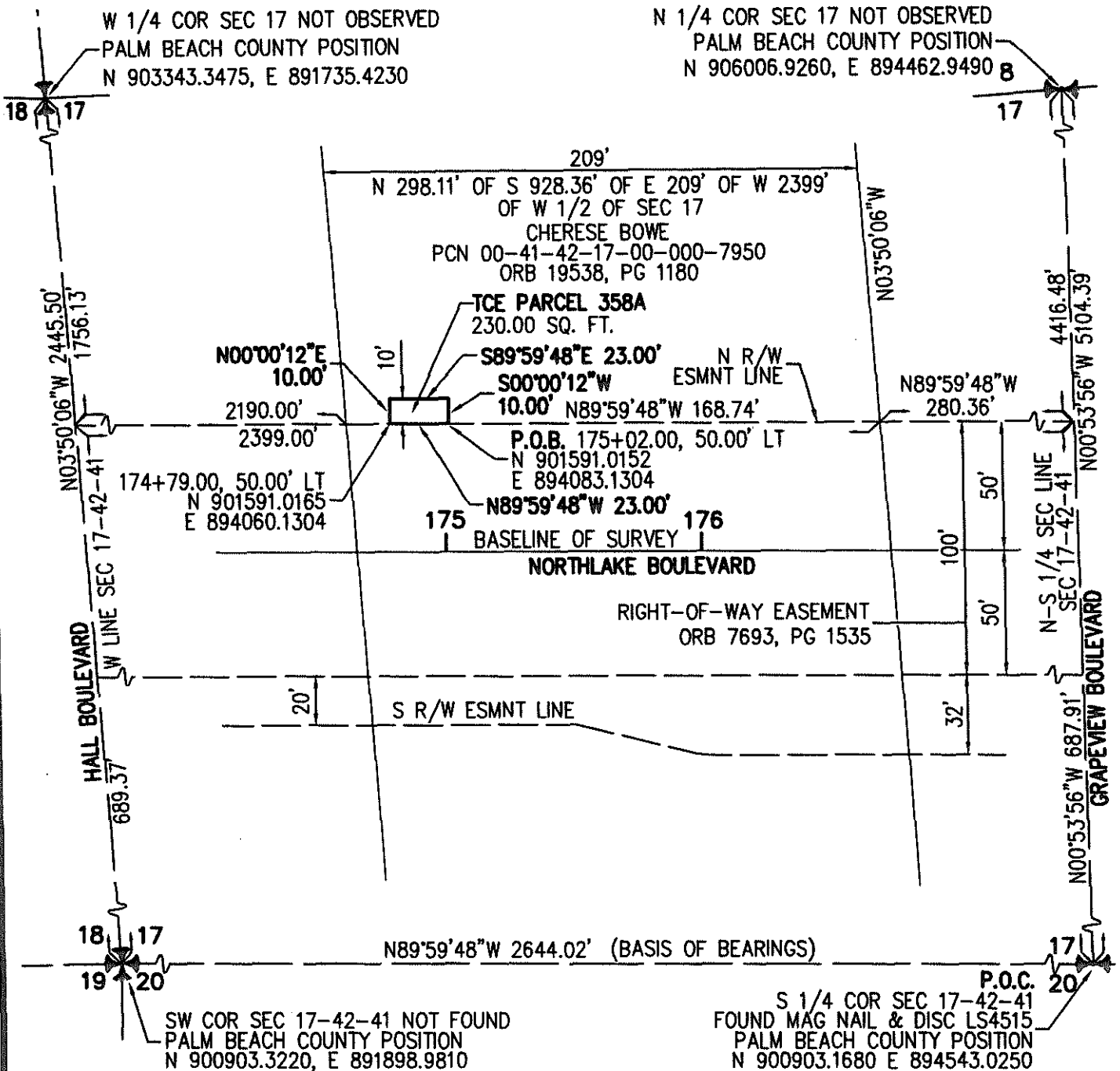
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FIELD BOOK	SHEET:
N/A	2 / 3
	JOB
	17062.01

**EXHIBIT A**  
**LEGAL DESCRIPTION AND SKETCH**  
**TCE PARCEL 358A**



0 30 60  
 SCALE IN FEET



FOR: **PROJECT: 2003503B - TCE PARCEL 358A**  
**CHERESE BOWE**

SCALE: 1" = 60'  
 DRAWN BY: JJR  
 CHECKED BY: JCM  
 DATE: 05/07/2022

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FIELD BOOK N/A	SHEET: 3 / 3
	JOB 17062.01

**EXHIBIT A  
LEGAL DESCRIPTION AND SKETCH  
TCE PARCEL 358B**

**LEGAL DESCRIPTION:**

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

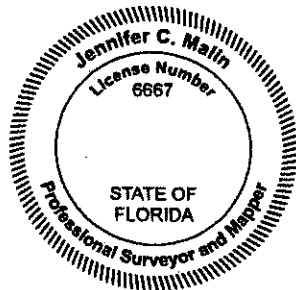
COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 17; THENCE N00°53'56"W, ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 17, A DISTANCE OF 687.91 FEET, TO A LINE LYING 689.37 FEET NORTH OF, AS MEASURED ALONG THE WEST LINE OF SAID SECTION 17, AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, SAID PARALLEL LINE BEING THE NORTH LINE OF THE RIGHT-OF-WAY EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 7693, PAGE 1535, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 280.36 FEET, TO A LINE LYING 2399.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 17, AS MEASURED ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT; THENCE CONTINUE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 17.74 FEET, TO THE POINT OF BEGINNING;

THENCE CONTINUE N89°59'48"W, ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY EASEMENT, A DISTANCE OF 21.00 FEET; THENCE N00°00'12"E, A DISTANCE OF 10.00 FEET, TO A LINE LYING 10.00 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE; THENCE S89°59'48"E, ALONG SAID PARALLEL LINE, A DISTANCE OF 21.00 FEET; THENCE S00°00'12"W, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 210.00 SQUARE FEET, MORE OR LESS.

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED IN COMPLIANCE WITH RULE 5J-17 FLORIDA ADMINISTRATIVE CODE. PURSUANT TO CHAPTER 472, FLORIDA STATUTES



*J Malin*

Digitally signed by Jennifer Malin  
Date: 2022.05.09 11:36:54 -04'00'

JENNIFER C. MALIN, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. LS6667  
STATE OF FLORIDA LB6603

FOR: PROJECT: 2003503B - TCE PARCEL 358B  
CHERESE BOWE

SCALE:	N/A
DRAWN BY:	JJR
CHECKED BY:	JCM
DATE:	05/07/2022

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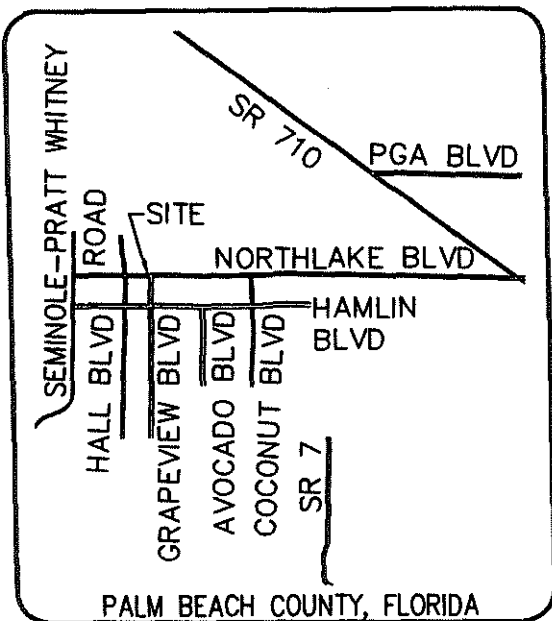
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FIELD BOOK	SHEET:
N/A	1 / 3
	JOB
	17062.01



**EXHIBIT A**  
**LEGAL DESCRIPTION AND SKETCH**  
**TCE PARCEL 358B**



PALM BEACH COUNTY, FLORIDA

**LOCATION MAP**  
 SCALE 1" = 20000'



**ABBREVIATIONS**

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- EE - EMBANKMENT EASEMENT
- E - EASTING
- ESMNT - EASEMENT
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- SQ. FT. - SQUARE FEET

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FOR: **PROJECT: 2003503B - TCE PARCEL 358B**  
**CHERESE BOWE**

SCALE:	N/A
DRAWN BY:	JJR
CHECKED BY:	JCM
DATE:	05/07/2022



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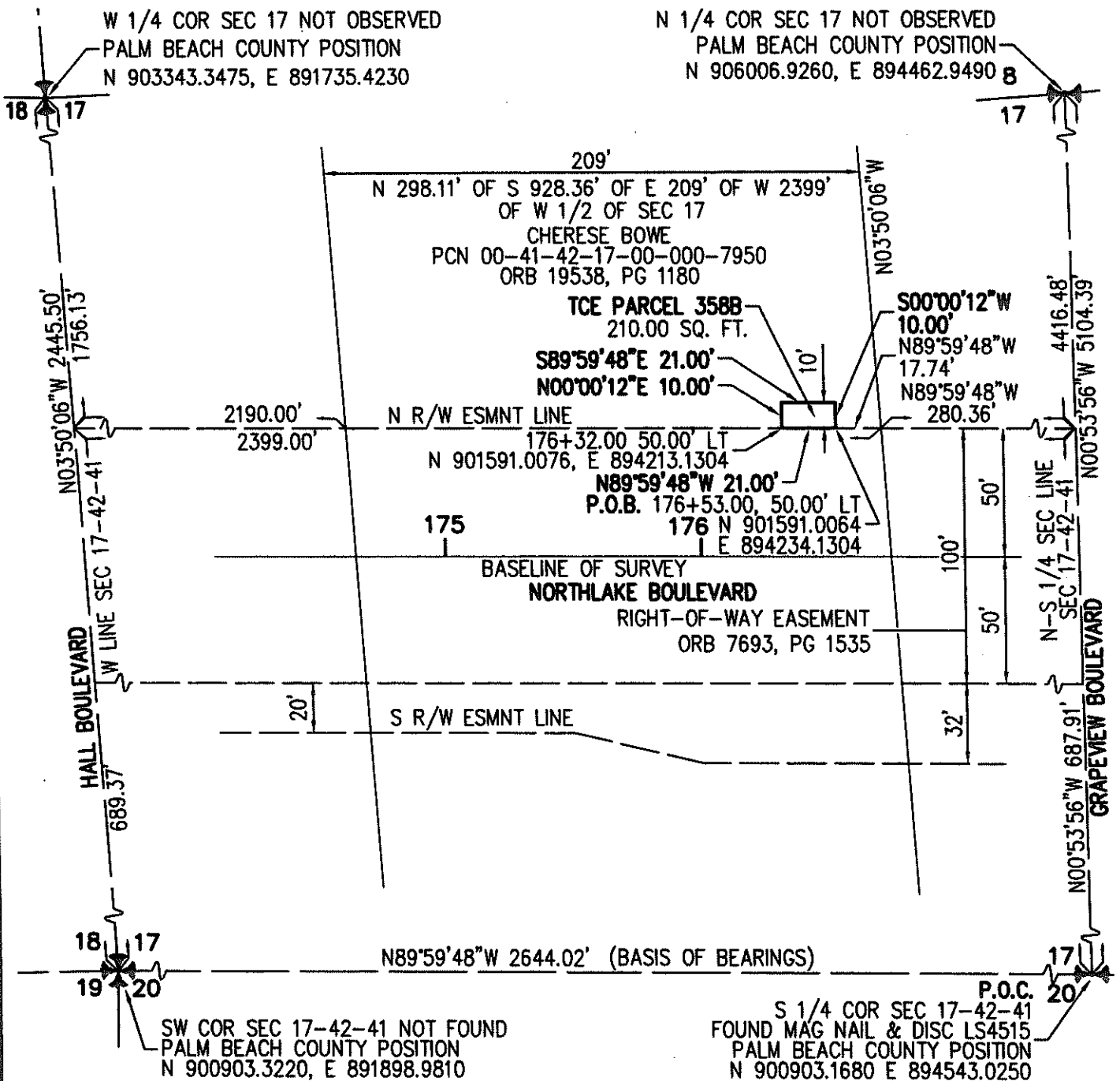
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FIELD BOOK N/A	SHEET: 2 / 3
	JOB 17062.01

**EXHIBIT A  
LEGAL DESCRIPTION AND SKETCH  
TCE PARCEL 358B**



0 30 60  
SCALE IN FEET



FOR: **PROJECT: 2003503B - TCE PARCEL 358B  
CHERESE BOWE**

SCALE: 1" = 60'  
DRAWN BY: JJR  
CHECKED BY: JCM  
DATE: 05/07/2022

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FIELD BOOK N/A	SHEET: 3 / 3
	JOB 17062.01

## **EXHIBIT "B"**

### **NORHLAKE BOULEVARD EAST OF HALL BOULEVARD TO COCONUT BOULEVARD PALM BEACH COUNTY PROJECT # 2003503B**

#### **SAFETY**

Northlake Boulevard, from east of Hall Boulevard to Coconut Boulevard, is a two-lane undivided paved road. This project, which is approximately 2.02 miles long, will reconstruct the existing roadway to add a closed drainage system and widen it to a four-lane divided roadway from east of Hall Boulevard to east of Grapeview Boulevard, and to a six-lane divided roadway from east of Grapeview Boulevard to west of Coconut Boulevard. Paved shoulders that vary in width from five (5) to seven (7) feet will be provided on both sides of the roadway. A continuous sidewalk that varies in width from six (6) to eight (8) feet will be provided on the south side of the roadway within the project limits, and a six (6) foot wide sidewalk that ends at Grapeview Boulevard will be constructed on the north side. This project will improve the overall safety for motorists, bicyclists and pedestrians.

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 (commonly known as "The Florida Greenbook"), as adopted and approved by the Florida Department of Transportation (FDOT).

#### **COST**

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

#### **ALTERNATE ROUTES**

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

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

#### **LONG RANGE PLANNING**

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

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

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

**ACQUISITION FOR TEMPORARY CONSTRUCTION EASEMENTS PARCELS 358A AND 358B**

These Temporary Construction Easements are needed for access and all related construction activities reasonably required for driveway harmonization, sloping, tying, grading, and to harmonize the road construction with the adjacent property. These described works to be performed on Parcels 358A and 358B shall not extend beyond the limits outlined in the legal descriptions of said property attached to the Resolution relating to Parcels 358A and 358B as **EXHIBIT A**. These Temporary Construction Easements 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 the deposit of funds pursuant to an Order of Taking.