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RESOLUTION NO. R2018-06

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
AUTHORIZING THE MAYOR OR VICE MAYOR AND THE
VILLAGE CLERK TO EXECUTE THE TEMPORARY
EASEMENT WITH THE STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION FOR THE CONSTRUCTION OF THE
SR 80 AND FOREST HILL BOULEVARD INTERSECTION
IMPROVEMENTS, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Village is the fee simple owner of certain real property located in the Village of Wellington at the intersection of State Road 80 and Forest Hill Boulevard; and

WHEREAS, in September, 2016, the Village approved Resolution No. R2016-66 supporting the Florida Department of Transportation Intersection Project at State Road 80/Southern Boulevard and Forest Hill Boulevard along with the donation of a temporary right of way easement required for the construction of the turn lanes included in the project design; and

WHEREAS, the Florida Department of Transportation has requested that Wellington execute the attached Temporary Easement.

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL THAT:

SECTION 1. The foregoing recitals are hereby affirmed and ratified.

SECTION 2. The Wellington Council hereby approves the Temporary Easement Agreement in the form attached hereto as Exhibit "A" and authorizes the Mayor and/or Vice Mayor and Village Clerk to execute the Temporary Easement Agreement.

SECTION 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 23rd day of January, 2018.

ATTEST:

WELLINGTON

By: 
Chevelle D. Nubin, Village Clerk

By: 
Anne Gerwig, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

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By: 
Laurie Cohen, Village Attorney

08-TE.13-06/98

This instrument prepared
under the direction of:

Laurice C. Mayes, Esq. *L. Mayes*

Legal Description prepared by:

Jeffrey D. Smith, P.S.M. (11-15-17)

Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Ft. Lauderdale, Florida 33309

December 12, 2017 - AA

Parcel No. : 701.1R (12-29-17)
F.P. No. : 4363071
Section: : 93120-2542
Managing District : 04
S.R. No. : 80
County : Palm Beach

TEMPORARY EASEMENT

THIS EASEMENT made this 25 day of January, 2018, by and between the **VILLAGE OF WELLINGTON, FLORIDA**, a municipality of the State of Florida, Grantor, whose address is: 12300 Forest Hill Blvd., Wellington, FL 33414 and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, its successors and assigns, Grantee.

WITNESSETH that for and in consideration of the sum of One Dollar and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, the Grantor hereby gives, grants, bargains and releases to the Grantee, a temporary easement for the purpose of constructing roadway features including a sidewalk and gravity wall associated with the construction of the SR 80 and Forest Hill Blvd Intersection Improvements, together with the right of access, ingress and egress, along with any other incidences necessary or convenient in connection therewith and tying in and harmonizing said property with the construction to be undertaken by the Department adjacent thereto in, upon, over and through the following described land in **Palm Beach** County, Florida, described as follows: viz:

Parcel No. 701

F.P. No. 4363071

A portion of Section 34, Township 43 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

Begin at the Northeast corner of Lot 3, Block 1 of **PINEWOOD OF WELLINGTON**, according to the plat thereof, as recorded in Plat Book 31, Page 170 of the public records of Palm Beach County, Florida; thence North 02°21'24" East along the West Right of Way line of Forest Hill

(Continued on next page)

Boulevard, a distance of 75.01 feet to a point on the Existing South Canal Right of Way line; thence North 88°21'32" West along said Existing South Canal Right of Way line, a distance of 12.51 feet; thence South 00°22'11" East, a distance of 52.12 feet; thence South 02°41'03" East to a point on the North line of said Lot 3, a distance of 22.98 feet; thence South 88°21'32" East along said North line of Lot 3, a distance of 8.01 feet to the POINT OF BEGINNING.

Containing 794 square feet, more or less.

(hereinafter the "Easement Area" and more particularly described in Exhibit "A" attached hereto and made a part hereof)

This temporary easement is granted upon the condition that the sloping and/or grading upon the above land shall not extend beyond the limits outlined above, and that all grading or sloping shall conform to all existing structural improvements within the limits designated, and all work will be performed in such manner that the existing structural improvements will not be damaged. Further, the Easement Area shall be restored at the completion of this transportation project.

It is understood that the rights granted herein shall terminate upon completion of this transportation project, but no later than the last day of April 2024.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST:

Print Name:

Its City Clerk

Dorothy

VILLAGE OF WELLINGTON, FLORIDA
a municipality of the State of Florida

By:

Print Name:

Its Mayor

Signed, sealed and delivered in
the presence of: (Two witnesses
or Corporate Seal required by
Florida Law)

Maria Kelly
(Signature of Witness)

Gloria Kelly
(Print/Type Name of Witness)

Laurie Cohen
(Signature of Witness)

Laurie Cohen
(Print/Type Name of Witness)

STATE OF FLORIDA

COUNTY OF PALM BEACH

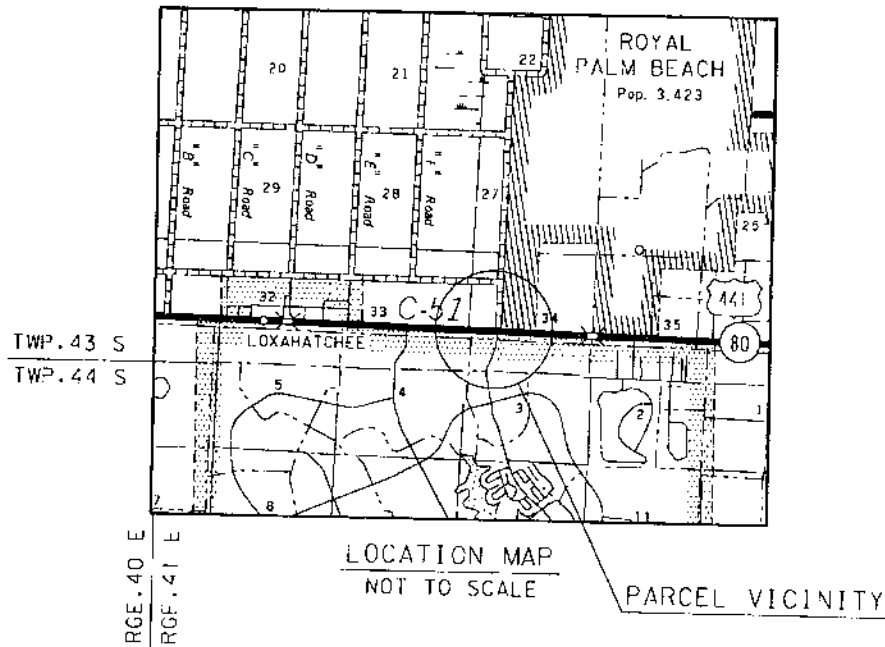
The foregoing instrument was acknowledged before me this 28 day of January,
2018, by Anne Gerwig, Mayor, who is personally known to me or who
has produced _____ as identification.

Maria A. Pisz
(Signature of person taking acknowledgment)

(Type, print or stamp name under signature)
Title or rank and serial number, if any: _____



EXHIBIT "A"



LEGEND

GENERAL NOTES

1. BEARINGS AND COORDINATES ARE RELATIVE TO THE STATE PLANE COORDINATES, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983/99 ADJUSTMENT. A BEARING OF S 85°59'14" E HAS BEEN ESTABLISHED BETWEEN F.D.O.T. MONUMENTS BLC3, STAMPED "80-93-04-C03" AND BLC4, STAMPED "80-93-04-C04". SEE P.N.C., F.P. 419345-2-52-01
BLC3 FOUND DISK IN CONCRETE MONUMENT
NORTHING = 855,454.105
EASTING = 859,595.656
BLC4 FOUND DISK IN CONCRETE MONUMENT
NORTHING = 855,279.449
EASTING = 862,086.342
2. THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
3. ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.

- B - BASELINE
- C - CENTERLINE
- BLVD. - BOULEVARD
- EXIST. - EXISTING
- F.D.O.T. - FLORIDA DEPARTMENT OF TRANSPORTATION
- F.P. - FINANCIAL PROJECT
- N.G.S. - NATIONAL GEODETIC SURVEY
- O.R.B. - OFFICIAL RECORD BOOK
- (P) - PLAT
- P.B. - PLAT BOOK
- P.B.C. - PALM BEACH COUNTY
- PG. - PAGE
- PL - PROPERTY LINE
- P.O.B. - POINT OF BEGINNING
- R/W - RIGHT OF WAY
- RGE. - RANGE
- S.F.W.M.D. - SOUTH FLORIDA WATER MANAGEMENT DISTRICT
- S.R. - STATE ROAD
- STA. - STATION
- TWP. - TOWNSHIP
- U.E. - UTILITY EASEMENT

PARCEL 701

OWNER - VILLAGE OF WELLINGTON
PARCEL 701 EASEMENT AREA - 794 SQUARE FEET

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
3400 WEST COMMERCIAL BLVD.
FT. LAUDERDALE, FL 33309
(954) 777-4551

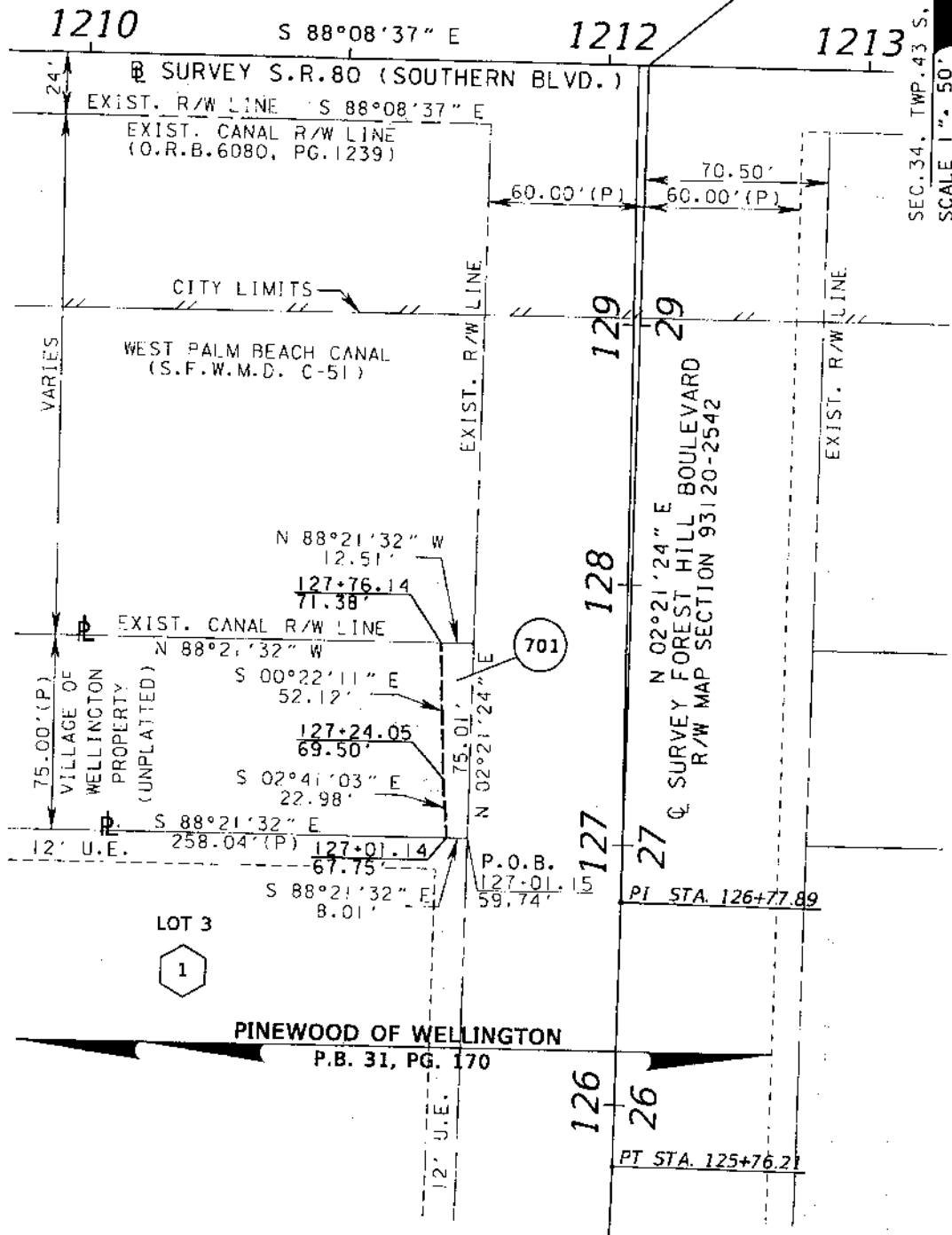
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FLORIDA DEPARTMENT OF TRANSPORTATION			
PARCEL SKETCH - NOT A SURVEY			
STATE ROAD NO. 80 (SOUTHERN BLVD.)		PALM BEACH COUNTY	
BY	DATE	PREPARED BY	
DRAWN R. CHAVEZ	11-15-17	FOOT DISTRICT FOUR	N/A
CHECKED CEFOLIA	11-15-17	F.P. NO. 4363071	SECTION 93120-2542
REVISION	BY	DATE	SHEET 1 OF 3

EXHIBIT "A"

CITY OF ROYAL PALM BEACH

STA. 1212+15.08
 B SURVEY S.R. 80 (SOUTHERN BLVD.)
 STA. 30+00.00
 C SURVEY FOREST HILL BLVD.
 N=854,135.531
 E=902,034.697



SEC. 34, TWP. 43 S., RGE. 41 E
 SCALE 1" = 50'

CITY OF WELLINGTON

Flms\vwmaping\4363071\vwps701.dgn

				FLORIDA DEPARTMENT OF TRANSPORTATION			
				PARCEL SKETCH - NOT A SURVEY			
				STATE ROAD NO. 80 (SOUTHERN BLVD.)		PALM BEACH COUNTY	
				PREPARED BY: FDOT DISTRICT FOUR		DATA SOURCE: N/A	
		DRAWN R. CHAVEZ 11-15-17		CHECKED CEFOJIA 11-15-17		F.P. NO. 4363071	
		REVISION		BY		DATE	
						SECTION 93120-2542	
						SHEET 2 OF 3	

EXHIBIT "A"

PARCEL No. 70. TEMPORARY EASEMENT

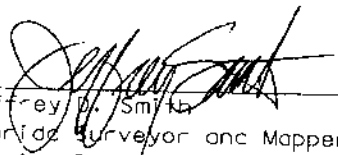
A portion of Section 34, Township 43 South, Range 4 East, Palm Beach County, Florida, being more particularly described as follows:

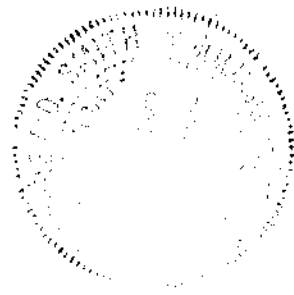
Begin at the Northeast corner of Lot 3, Block 1 of PINewood OF WELLINGTON, according to the plat thereof, as recorded in Plat Book 31, Page 170 of the public records of Palm Beach County, Florida; thence North 02°21'24" East along the West Right of Way line of Forest Hill Boulevard, a distance of 75.01 feet to a point on the Existing South Canal Right of Way line; thence North 88°21'32" West along said Existing South Canal Right of Way line, a distance of 12.51 feet; thence South 00°22'11" East, a distance of 52.12 feet; thence South 02°41'03" East to a point on the North line of said Lot 3, a distance of 22.98 feet; thence South 88°21'32" East along said North line of Lot 3, a distance of 8.01 feet to the POINT OF BEGINNING.

Containing 794 square feet, more or less.

I hereby certify that to the best of my knowledge and belief the above legal description of Parcel No. 701, as shown hereon on the Right of Way Parcel Sketch for S.R.80 (Southern Boulevard) F.P. No. 436307, Section No. 93120-2542 is true, accurate and was prepared under my direction.

I further certify that this sketch and legal description is in compliance with the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17 Florida Administrative Code pursuant to Section 472.027 Florida Statutes.


Jeffrey D. Smith Date 11-15-2017
Florida Surveyor and Mapper No. 4805
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309



Not valid unless signed and sealed

f:\mswmc\ppl\ng\436307\wrmps701.dgn

				FLORIDA DEPARTMENT OF TRANSPORTATION	
				PARCEL SKETCH - NOT A SURVEY	
		STATE ROAD NO. 80 (SOUTHERN BLVD.)		PALM BEACH COUNTY	
		BY	DATE	PREPARED BY	
		DRAWN	R, CHAVEZ	11-15-17	FOOT DISTRICT FOUR
		CHECKED	CEFOIA	11-15-17	N/A
REVISION	BY	DATE	F.P. NO. 4363071		SECTION 93120-2542
			SHEET 3 OF 3		