

RESOLUTION N° 09202006RE5

A RESOLUTION OF THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN PROPERTIES DESCRIBED HEREIN, SAID LAND SITUATED, LYING AND BEING WITHIN THE SCHOOL DISTRICT OF PALM BEACH COUNTY, FLORIDA, AND DECLARING THAT THE ACQUISITION AND USE OF SAID PROPERTY, TO BE A PUBLIC NECESSITY; AUTHORIZING THE FILING OF AN EMINENT DOMAIN LAWSUIT PURSUANT TO CHAPTERS 73 AND 74, FLORIDA STATUTES.

WHEREAS, the Department of Real Estate Services of the School District of Palm Beach County, Florida, has recommended the acquisition of certain real property, in fee simple, the legal description of which is contained in Exhibit "A" attached hereto and incorporated herein (hereinafter the "Property"); and

WHEREAS, pursuant to Article IX, Section 4(b) of the Constitution of the State of Florida, the School Board of Palm Beach County, Florida (the School Board) operates, controls and supervises public schools within the School District consistent with the statutory powers of Chapter 1013, F.S. and those rules, policies and regulations adopted by the School Board and/or pursuant to the Florida Administrative Code; and

WHEREAS, pursuant to Section 1013.24, F.S., the School Board has the authority and right to take private property by eminent domain for public purposes or uses; and

WHEREAS, the School Board has considered alternative means of accomplishing the construction of the New Suncoast School campus and has determined that the Property is necessary for the construction; and

WHEREAS, the acquisition of the Property is necessary for the School Board construction of the New Suncoast High School campus and in order to carry out public school purposes; and

WHEREAS, the School Board has determined that the use of the Property is necessary to construct the New Suncoast High School campus, and ancillary facilities for the use, safety and/or benefit of public school children and that these activities are for public purposes; and

WHEREAS, the School Board has taken into consideration all of the relevant environmental factors and determined that the acquisition of the Property would not adversely impact the natural environment; and

WHEREAS, the School Board has taken into consideration all relevant safety factors related to the acquisition of the Property; and

WHEREAS, the acquisition of the Property is consistent with the School Board's long-range planning program, specifically its adopted FY2006-FY2010 Five Year Capital Plan; and

WHEREAS, the estate or interest to be taken is fee simple title to the Property; and

WHEREAS, the School Board has budgeted funds for the acquisition of the fee simple title to the Property; and

WHEREAS, all necessary conditions precedent to the consideration and adoption of this Resolution have occurred or have been performed; and

WHEREAS, the School Board has identified the boundaries of the area to be acquired and a boundary location map illustrating the location and boundaries of the Property is attached hereto and incorporated herein as Exhibit "B"; and

WHEREAS, in order to accomplish the acquisition of the Property, it is necessary for the School Board to exercise its power of eminent domain as authorized by Section 1013.24, F.S., and Chapters 73 and 74, F.S.

NOW, THEREFORE, be it resolved by the School Board of Palm Beach County, Florida, that:

1. The School District's Board hereby adopts, as true and correct, and hereby incorporates those matters set forth in the foregoing whereas clauses as its official findings.
2. The Department of Real Estate Services of the School District is directed to take the necessary steps to acquire the Property, including but not limited to hiring real estate appraisers to secure appraisals of value of the Property .
3. The Chief Counsel is directed to take the necessary steps to acquire the Property, including but not limited to, employing outside attorneys if in the opinion of the Chief Counsel the complexity or workload exceeds the ability of in-house staff to handle, and to file, if necessary, a petition for Eminent Domain to acquire the Property.
4. The School Board's designated attorney is hereby authorized and directed to proceed to take all necessary steps, including the hiring of accountants, planners, appraisers and expert witnesses to acquire the Property by eminent domain in the name of the School Board, and to have prepared in the name of the School Board all papers, pleadings and other instruments or documents required for that purpose, and to see that all eminent domain proceedings are prosecuted to take fee simple title and possession of the Property pursuant to Chapters 73 and 74, F.S.
5. The School Board's designated attorney is hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed.
6. The School Board's staff is hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed.

BE IT FURTHER RESOLVED, that the Property described on Exhibit "A" is to be used for the following public purposes: to construct the New Suncoast High School campus, and ancillary facilities for the use, safety and/or benefit of public school children in accordance with The School Board of Palm Beach County, Florida's adopted FY2006-FY2010 Five Year Capital Plan.

ADOPTED THIS _____ day of _____, 2006.

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

By: _____
Thomas E. Lynch, Chairman

Attest: _____
Arthur C. Johnson Ph.D.,
Superintendent

Filed in the Board Minutes Office this _____ day of _____ 2006.

REVIEWED AND APPROVED

Board Secretary

I, _____ BOARD SECRETARY DO ATTEST THAT THE ABOVE IS A TRUE ORIGINAL RESOLUTION ADOPTED BY THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, ON _____

School Board Attorney,
Blair R. LittleJohn, III

BOARD SECRETARY

Exhibit "A"

Parcel No. 1

**Lawrence and Robin Jones
9351 Talway Circle
Boynton Beach, FL 33437-2713**

**Property Location: 1717 Avenue "S" and XXXX Avenue "S", Riviera Beach, Florida
Property Control No: 56-43-42-32-04-002-0030 and 56-43-42-32-04-002-0010**

**Legal Description: Lots 3 and 4, Plat 2, KELLY ADDITION TO RIVIERA BEACH, as
contained in Plat Book 4, Page 70, of the Public Records of Palm Beach County, Florida
and
KELLY Add to Riviera LTS 1 and 2, Block 2**

Parcel No. 2

**Jannetta Cockran and Gary Cochran
1640 West 17th Street
Riviera Beach, Florida 33404**

**Property Location: 1640 West 17th Street, Riviera Beach, Florida
Property Control No. 56-43-42-32-04-002-0170**

**Legal Description: Lots 17 and 18, Block 2, KELLY ADDITION TO RIVIERA BEACH,
according to the Plat recorded in Plat Book 4, page 70, as recorded in the Public Records
of Palm Beach County, Florida; said land situate, lying and being in Palm Beach County,
Florida.**

Parcel No. 3

**Claudette Williams-Crawford and Charles V. Crawford
1666 West 17th Street
Riviera Beach, FL 33404-5212**

**Property Location: 1650 West 17th Street, Riviera Beach, Florida
Property Control No. 56-43-42-32-04-002-0190**

**Legal Description: Lots 19 and 20, in Block 2, KELLY ADDITION TO RIVIERA,
according to the Plat thereof as recorded in Plat Book 4, Page(s) 70, of the Public Records
of Palm Beach County, Florida**

Parcel No. 4

**Claudette Williams-Crawford and Charles V. Crawford
1666 West 17th Street
Riviera Beach, Florida 33404-5212**

**Property Location: 1666 West 17th Street, Riviera Beach
Parcel Control No. 56-43-42-32-04-002-0230**

**Legal Description: Lots 23 and 24, Block 2, KELLY ADDITION TO RIVIERA,
according to the Plat thereof as recorded in Plat 3, Book 4, Page 70, Public Records of
Palm Beach County, Florida**

Parcel No. 5

**Perry L. Mitchell, Sr., as single man and Trustee
1800 Avenue "S"
Riviera Beach, Florida 33404-5228**

**Property Location: 1682 West 17th Street, Riviera Beach
Parcel Control No. 56-43-42-32-04-002-0270**

**Legal Description: Lots 27, 28, and 29, Block 2, KELLY ADDITION, City of Riviera
Beach, Palm Beach County, Florida, Plat Book 4, Page 70.**

Parcel No. 6

**Tommy & Virginia Poindexter
1663 West 18th Street
Riviera Beach, Florida 33404-5243**

**Property Location: 1663 West 18th Street and XXXX on West 18th Street, Riviera Beach
Parcel Control No. 56-43-42-32-04-002-0340 and
56-43-42-32-04-002-0390**

**Legal Description: Lots 34 and 35, Block 2, KELLY ADDITION, on file in the Office of
the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat
Book 4, Page 70.**

And

**Lot 39, Block 2, Kelly Addition to Riviera, according to the Plat thereof on file in the
office of the Clerk of the Circuit Court in and for Palm Beach County, Florida recorded
in Plat Book 4, Page 70.**

Parcel No. 7

**Mary G. Poindexter
1649 West 18th Street
Riviera Beach, FL 33404-5243
Property Location: 1649 West 18th Street, Riviera Beach
Property Control No: 56-43-42-32-04-002-0400**

Legal Description: Lots 40, 41, 42 inclusive of Block 2, KELLY ADDITION TO RIVIERA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida recorded in Plat Book 4, Page 70.

Parcel No. 8

**Parson Enterprises, Inc.
1347 North Mangonia Drive
West Palm Beach, FL 33401-2422**

**Registered Agent: Ruby Parson
1347 North Mangonia Drive
West Palm Beach, Florida 33401-2422**

**Property Location: 1321 Jake Lane, Riviera Beach
Property Control No: 56-43-42-31-00-000-1280**

Legal Description: North 60 feet of the South 1172 feet of the West 100 feet of the East 783.75 feet of the Northeast ¼ A/K/A Lot 2, Block 4, Parson Heights unrecorded, according to the records of the Clerk of the Circuit Court in and for Palm Beach County, Florida

Parcel No. 9

**Parson Enterprises, Inc.
1347 North Mangonia Drive
West Palm Beach, FL 33401-2422**

**Registered Agent: Ruby Parson
1347 North Mangonia Drive
West Palm Beach, FL 33401-2422**

**Property Location: Vacant Parcels/Jake Lane, Riviera Beach
Parcel Control No's: 56-43-42-31-00-000-1270 and 56-43-42-31-00-000-1384**

Legal Description: North 121 feet of the South 1233 feet of the West 263.75 feet of the East 1047.5 feet and the North 15 feet of the South 1248 feet of the West 523.75 feet of the East 1047.5 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East

(Lot 7, Blk 4) according to the records of the Clerk of the Circuit Court in and for Palm Beach County, Florida

And

East 20 feet of the West 1043.75 feet of the North 120 feet of the South 1112 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East of the Public Records of Palm Beach County, Florida

Parcel No. 10

**Parson Enterprises, Inc.
1347 North Mangonia Drive
West Palm Beach, Florida 33401-2422**

**Registered Agent: Ruby Parson
1347 North Mangonia Drive
West Palm Beach, Florida 33401-2422**

**Property Location: 1820 West 13th Street, Riviera Beach
Property Control No: 56-43-42-31-00-000-1383**

Legal Description: 31-42-43, West 60 feet of the East 943.75 feet of North 120 feet of South 1112 feet of the Northeast ¼ (Being Lot 2, Block 5, Parson Heights Unrecorded) according to the records of the Clerk of the Circuit Court in and for Palm Beach County, Florida

Parcel No. 11

**Forest and Ruby Parson
1347 North Mangonia Drive
West Palm Beach, Florida 33401**

**Property Location: 1311 Jake Lane, Riviera Beach
Property Control No: 56-43-42-31-00-000-1290**

Legal Description: 31-42-43, North 60 feet of the South 1112 feet of the West 100 feet of the East 783.75 feet of the Northeast ¼ (Being Lot 3, Block 4, Parson Heights Unrecorded) according to the records of the Clerk of the Circuit Court in and for Palm Beach County, Florida

Parcel No. 12

**Forest and Ruby Parson
1347 North Mangonia Drive
West Palm Beach, Florida 33401**

**Property Location: Vacant Parcel/Jake Lane, Riviera Beach
Property Control No: 56-43-42-31-00-000-1281**

Legal Description: North 61 feet of South 1233 feet of West 100 feet of East 783.75 feet of Northeast ¼ of Section 31, Township 42 South, Range 43 East of the Public Records of Palm Beach County, Florida (Lot 1, Block 4, Parson Heights Unrecorded)

Parcel No. 13

**Rufus Parson
1347 North Mangonia Drive
West Palm Beach, Florida 33401**

**Property Location: 1800 West 13th Street, Riviera Beach
Property Control No: 56-43-42-31-00-000-1300**

**Legal Description: 31-42-43, North 60 feet of the South 1052 feet of West 100 feet of the East 783.75 feet, of the Northeast ¼ (Lot 4, Block 4, Parson Heights Unrecorded)
According to the records of the Clerk of the Circuit Court in and for Palm Beach County, Florida**

Parcel No. 14

**Illustrated Investments, LLC
10105 Hunt Club Lane
Palm Beach Gardens, Florida 33418**

**Registered Agent: Christopher R. Graeve
10105 Hunt Club Lane
Palm Beach Gardens, Florida 33418**

**Property Location: 1830 West 13th Street, Riviera Beach
Property Control No: 56-43-42-31-00-000-1385**

Legal Description: The West 60 feet of the East 963.75 feet of North 120 feet of the South 1,112 feet of the Northeast Quarter of Section 31, Township 42 South, Range 43 East, Palm Beach County, Florida A/K/A Lot 3, Block 5, Parson Heights, Unrecorded

Parcel No. 15

**Austin P. and Norma Wiggan
1612 44th Street
West Palm Beach, Florida 33407**

**Property Location: Vacant Land located on Congress and 13th Street, Riviera Beach
Property Control No's: 56-43-42-31-25-000-0020 and 56-43-42-31-25-000-0030**

Legal Description: Lots 2 and 3, Re-Plat of Congress Park 11, according to the Plat thereof, as recorded in Plat Book 80, Page 107, of the Public Records of Palm Beach County, Florida

Parcel No. 16

**Willie Mae Smith
1810 West 13th Street
Riviera Beach, Florida 33404**

**Arnita W. Carter
621 57th Street
West Palm Beach, FL 33407-2513**

**Property Location: 1810 West 13th Street, Riviera Beach
Property Control No: 56-43-42-31-00-000-1381**

Legal Description: Lot 1, Block 5, Parson Heights (unrecorded) more particularly described as follows:

The North 120 feet of the South 1112 feet of the West 60 feet of the East 843.75 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East, said lands situated, lying and being in Palm Beach County, Florida

Parcel No. 17

**James D. Gipson
2712 South 17th Street
Fort Pierce, Florida 34982-5723**

**Property Location: xxxx West 12th Street, Riviera Beach
Property Control No: 56-43-42-31-00-000-1620**

Legal Description: The South 224.6 feet of the Northerly 531.8 feet of the East 523.75 feet of the Northeast ¼ of the Northwest ¼ of Section 31, Township 42, Range 43, (Less PB 46, Page 107 and the East 25 feet for road right of way).

Parcel No. 18

**New Beginnings Community Development Center, Inc.
2001 Broadway, Suite 200
Riviera Beach, Florida 33404**

**Registered Agent: Diane Lewis
450 West 37th Street
Park Manor
Riviera Beach, Florida 33404**

Property Location: Adjacent to and West of Dr. Mary McLeod Bethune Elementary School, West of Avenue U.

Property Control No's: 56-43-42-31-00-000-1624; 56-43-42-31-00-000-1626; 56-43-42-31-00-000-1650

The West 523.75 feet of the East 1047.5 feet of the North 416 feet of the South 2080 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida, less the easement over the East 30 feet thereof for road right of way purposes; and the party of the first part does sell. Assign, convey, and devise any and all rights it may have in and to said Easement and all reversion, reverted or remainder rights it may have in and to the East 30 feet of the West 523.75 feet of the East 1047.5 feet of the North 416 feet of the South 2080 feet of the Northeast ¼ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida.

And

Commencing from the Northeast corner of Section 31, Township 42 South, Range 43 East, a distance of 307.19 feet South along the East line of Section 31, thence run Westerly at an angle of 90 degrees 31' North to South, a distance of 523.75 feet to the point of beginning; thence continue Westerly on the same course a distance of 141.66 feet; thence run Southerly at an angle of 90 degrees 31' East to South, a distance of 307.5 feet; thence run easterly at an angle of 89 degrees 29' West to East a distance of 141.66 feet; thence run Northerly at an angle of 90 degrees 31' West to North a distance of 307.5 feet to the Point of Beginning.

Together with the following described easement:

LEGAL DESCRIPTION FOR INGRESS AND EGRESS

Being a portion of land in the Northeast ¼ of Section 31, Township 42 South, Range 43 East, located in Palm Beach County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Church of the True Faith Plat. As recorded in Plat Book 46, Page 107, in the Public Records of Palm Beach County, Florida: Thence South 02° 19' 49" West along the West right of way line of Avenue U as recorded in Deed Book 1030, Page 509 a distance of 20.00 feet to the Northeast corner of those lands described in O.R. Book 8663, Page 1116 in said public records, said point marked with a 5/8 iron rod and cap labeled Bonner, LS 4088, said point also being the Point of Beginning; thence continue South 02° 19' 49" West along the West right away

line as recorded in Deed Book 1030, Page 507, of said public records a distance of 30.00 feet, thence North 88° 19' 20" West on a line 30 feet South of an parallel to the North line of said O.R. Book 8663, Page 1116 a distance of 382.19 feet; Thence South 57° 24' 45" West a distance of 142.18 feet to the West line of those lands recorded in O.R. Book 8276, Page 361 of said public records, said line being the West line of the East 523.75 feet of said Northeast ¼ thence North 02° 19' 49" East along said West line a distance of 30.00 feet to the Northeast corner of those lands described in O.R. Book 2186, Page 1919, of said public records; thence continue on said West line a distance of 80.06 feet to the Northwest corner of those lands described in O.R. Book 8276, Page 361; thence along said North line of said Parcel South 88° 19' 20" East, said line being the North line of South 265.73 feet of the North 797.52 feet of the Northeast ¼ of said Section 31, a distance of 498.73 feet to the Point of Beginning.

Parcel No. 19

True Faith of God & Christ, Inc.
1700 West 18th Street
Riviera Beach, FL 33404

Registered Agent: Jack Williams
1760 West 18th Street
West Palm Beach, FL 33404

Property Location: 1700 West 18th Street, Riviera Beach
Property Control No: 56-43-42-31-09-001-0000

Legal Description: West 212.90 feet of the East 237.90 feet of the North 204.60 feet of the South 224.60 feet of the Northerly 531.80 feet of the East 523.75 feet of the Northeast Quarter of the Northeast Quarter of Section 31, Township 42 South, Range 43 East, Palm Beach County, Florida.

Parcel No. 20

Vasile & Adriana Damse
10800 S.W. 27th Court
Davie, Florida 33328

Property Location: 1695 W. Blue Heron Boulevard, Riviera Beach
Property Control No: 56-43-42-29-04-007-0240

Legal Description: Lots 5, 6, 7 and 8, inclusive, Block 2, Kelly Addition, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, recorded in Plat Book 4, Page 70.

Parcel No. 21

**Brian Edwards and Barbara Edwards
1007 Centre Stone Lane
Riviera Beach, FL 33404**

**Property Location: 1840 West 13th Street, Riviera Beach, Florida
Property Control No: 56-43-42-31-00-000-1382**

Legal Description: lot 4, Block 5, Parson Heights, unrecorded being more particularly describe as: The West 60 feet of the East 1,023.75 feet of the North 120 feet of the South 1112 feet of the Northeast quarter (Northeast $\frac{1}{4}$) of Section 31, Township 42 South, Range 43 East, Palm Beach County, Florida