

RESOLUTION NO. 45-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE QUITCLAIM DEED IN FAVOR OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE I-95/SIXTH AVENUE SOUTH PROJECT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 9 (I-95), Item/Segment No. 4369631, Section 93220-2482, in Palm Beach County, Florida; and

WHEREAS, it is necessary that certain lands now believed to be owned, or an interest in the same retained, by the **City of Lake Worth Beach, Florida**, be acquired by the State of Florida Department of Transportation; and

WHEREAS, said property is not needed for City purposes; and

WHEREAS, the State of Florida Department of Transportation has made application to said City to execute and deliver to the State of Florida Department of Transportation a quitclaim deed in favor of the State of Florida Department of Transportation, conveying all rights, title and interest that said City has in and to said lands required for transportation purposes and said request having been duly considered.

WHEREAS, the City Commission has determined that issuing the Quitclaim Deed to State of Florida Department of Transportation is in the best interests of the City and serves a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The above recitals are hereby ratified and confirmed as being true and correct and are hereby incorporated into this Resolution.

Section 2. The City Commission hereby approves and authorizes the Mayor and City Clerk to execute the Quitclaim Deed attached hereto as Exhibit "A".

Section 3. This resolution shall become effective immediately upon passage.

The passage of this resolution was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch

Vice Mayor Herman Robinson
Commissioner Sarah Malega
Commissioner Christopher McVoy
Commissioner Kimberly Stokes

The Mayor thereupon declared this resolution duly passed and adopted on the
_____ day of _____, 2021.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Coyne, Interim City Clerk

EXHIBIT "A"

Quitclaim Deed

04-QCD.14-07/18

This instrument prepared under the direction
of: Elizabeth S. Quintana, Esq.

District Four Assistant General Counsel

Legal Description prepared by:

Luis A. Gaztambide, P.S.M. (3/31/2020)

Document prepared by:

Cochise Wadley (6/17/2021)

Florida Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Beach Fort Lauderdale, Florida 33309

Parcel No.

106.4R

Item/Segment No.

4369631

Section:

93220-2482

Managing District:

04

S.R. No.

9 (I-95)

County:

Palm

CITY QUITCLAIM DEED

THIS QUITCLAIM DEED, made this _____ day of _____, 2021, by the **CITY OF LAKE WORTH BEACH, a Florida municipal corporation**, whose address is: 7 North Dixie Highway, Lake Worth Beach, Florida 33460, Grantor, to the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, Grantee: (wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of organizations.)

WITNESSETH: That the said Grantor, for and in consideration of the sum of \$1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, does hereby remise, release and quitclaim unto the said Grantee forever, all right, title, interest, claim and demand, which said Grantor has in and to the hereinafter described parcel of land arising out of that certain Easement Agreement (Ingress and Egress Purposes Only), dated 10/29/1997, recorded in Official Records Book 10059, Page 1849; together with that certain Assignment of Easement, dated 02/03/2000, recorded in Official Records Book 11695, Page 1337; that certain Assignment of Easement, dated 03/14/2000, recorded in Official Records Book 11695, Page 1341 and that certain Assignment of Easement, dated 01/13/2004, recorded in Official Records Book 16480, Page 0446, of the Public Records of Palm Beach County, Florida, together with all other right, title, interest, claim and demand, if any, which the said Grantor has in and to said parcel situate in the County of Palm Beach, Florida, viz:

Parcel No. 106

Item/Segment No. 4369631

A portion of Lot 1, LAKE OSBORNE SHORES, according to the plat thereof, as recorded in Plat Book 23, Page 35, of the Public Records of Palm Beach County, Florida, lying in Section 28, Township 44 South, Range 43 East, as shown on Sheets 3 and 4 of the Florida Department of Transportation Right of Way Map of State Road 9 (I-95), Item/Segment No. 4369631, Section 93220-2482 and being more particularly described as follows:

Commence at a brass disk in concrete stamped "Palm Beach County", found marking the West (W.) Quarter Corner of said Section 28; thence South 01°23'21" West along the West line of the Southwest One-Quarter (SW 1/4) of said Section 28, a distance of 172.11 feet to the Baseline of Survey of 6th Avenue South;

thence South 88°37'58" East along the said Baseline of Survey, a distance of 684.04 feet; thence North 01°22'02" East along a line at a right angle to the last described course a distance of 74.99 feet to the Northerly Existing Right of Way line of 6th Avenue South per Official Record Book 2194, Page 1893 of the Public Records of Palm Beach County, Florida and the POINT OF BEGINNING; thence along said Northerly Existing Right of Way line of 6th Avenue South for the next three (3) courses, (1) South 71°56'56" East, a distance of 52.20 feet; thence (2) South 88°37'58" East, a distance of 109.78 feet; thence (3) South 89°40'44" East, a distance of 107.06 feet to the East line of said Lot 1; thence North 01°22'47" East along said East line of Lot 1, a distance of 25.87 feet; thence North 86°33'10" West, a distance of 24.50 feet; thence North 88°20'16" West, a distance of 46.29 feet; thence South 89°48'34" West, a distance of 89.78 feet; thence North 18°52'58" West, a distance of 15.04 feet; thence North 88°39'32" West, a distance of 1.09 feet to the West line of said Lot 1; thence South 01°24'49" West, along said West line of Lot 1, a distance of 26.15 feet to the POINT OF BEGINNING.

Containing 7,226 square feet, more or less.

Together with all rights of access, ingress, egress, light, air and view between the Grantor's remaining property and any facility constructed on the above described parcel, along the following described line:

Commence at a brass disk in concrete stamped "Palm Beach County", found marking the West (W.) Quarter Corner of said Section 28; thence South 01°23'21" West along the West line of the Southwest One-Quarter (SW 1/4) of said Section 28, a distance of 172.11 feet to the Baseline of Survey of 6th Avenue South; thence South 88°37'58" East along the said Baseline of Survey, a distance of 842.94 feet; thence North 01°22'02" East along a line at a right angle to the last described course a distance of 89.14 feet to the beginning of the New Limited Access Right of Way line of said State Road 9 (I-95) and the POINT OF BEGINNING; thence continuing along said New Limited Access Right of Way line for the following two (2) courses: (1) South 88°20'16" East, a distance of 83.45 feet; thence (2) South 86°33'10" East, a distance of 24.50 feet to the East line of said Lot 1 and the POINT OF TERMINUS of the herein described Limited Access Right of Way line.

AND

A portion of Tract 14, SAWYER'S SUBDIVISION OF WEST HALF, SEC. 28, TP. 44, R.43; according to the plat thereof, as recorded in Plat Book 5, Page 12, of the Public Records of Palm Beach County, Florida, lying in Section 28, Township 44 South, Range 43 East, as shown on Sheet 4 of the Florida Department of Transportation Right of Way Map of State Road 9 (I-95), Item/Segment No. 4369631, Section 93220-2482 and being more particularly described as follows:

Commence at a brass disk in concrete stamped "Palm Beach County", found marking the West (W.) Quarter Corner of said Section 28; thence South 01°23'21" West along the West line of the Southwest One-Quarter (SW 1/4) of said Section 28, a distance of 172.11 feet to the Baseline of Survey of 6th Avenue South; thence South 88°37'58" East along the said Baseline of Survey, a distance of 1,167.01 feet; thence North 01°22'02" East along a line at a right angle to the last described course, a distance of 65.90 feet to the Northerly Existing Right of Way line of 6th Avenue South per Official Record Book 2194, Page 1893 of the Public Records of Palm Beach County, Florida and the POINT OF BEGINNING; thence North 89°40'44" West along said Northerly Existing Right of Way line, a distance of 196.19 feet; thence North 01°22'47" East, a distance of 24.78 feet to the beginning of the New Limited Access Right of Way line of said State Road 9 (I-95); thence South 86°33'10" East along said New Limited Access Right of Way line, a distance of 196.28 feet to the Westerly Existing Right of Way line of the C.S.X. Railroad and the end of said New Limited Access Right of Way line of said State Road 9 (I-95); thence South 01°23'56" West, a distance of 14.07 feet to the said Northerly Existing Right of Way line of 6th

Avenue South and the POINT OF BEGINNING.

Containing 3,810 square feet, more or less.

Together with all rights of access, ingress, egress, light, air and view between the Grantor's remaining property and any facility constructed on the above described property.

All together containing 11,036 square feet, more or less.

TO HAVE AND TO HOLD the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the said Grantee forever.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the said Grantor has caused this Quitclaim Deed 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.

CITY OF LAKE WORTH BEACH

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, Deputy City Clerk

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence, this ____ day of _____, 2021, by Betty Resch, Mayor, on behalf of the **CITY OF LAKE WORTH BEACH, a Florida municipal corporation**, who is personally known to me.

(SEAL)

Notary Public

Printed or stamped name of Notary Public

My Commission Expires: _____

