

RESOLUTION NO. R-98 - 422

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA, COMMITTING TO
PROVIDE THE NECESSARY ASSURED CONSTRUCTION
FOR THE WINSBERG FARMS MUPD AND PUD TO MEET
TRAFFIC CONCURRENCY**

WHEREAS, the Winsberg Farm property is located west of Jog Road between the L-29 and L-30 Canals north and south of the projected extension of Flavor Pict Road west of Jog Road, and

WHEREAS, the Palm Beach County Water Utilities Department wishes to recreate wetlands in this area, and

WHEREAS, these recreated wetlands have public benefits including:

- Enhancing wildlife habitat
- Maintaining community greenspace for passive recreation
- Recharging water supplies
- Providing limited public use

WHEREAS, the Water Utilities Department has negotiated the purchase of 173.55 acres of land from Winsberg Farms at a price substantially less than the market value, and

WHEREAS, in exchange for this reduction in price the County has agreed to apply for zoning approval and concurrency for a MUPD of 15 acres and a PUD of 89.29 acres, and

WHEREAS, it is necessary for certain roadway projects to be constructed such that the above referenced MUPD and PUD will have traffic concurrency.

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

1. The recitations set forth herein above are true, accurate and correct and are incorporated herein.
2. The Board of County Commissioners hereby commits to consider funding the following road improvement projects (hereinafter Committed Projects) in the Palm Beach County 5 Year Road Program for construction in FY 02/03 with construction plan preparation and right-of-way acquisition scheduled in prior years.

- (a) A west approach right turn lane at the Jog Road/Boynton Beach Boulevard intersection.
- (b) North approach dual left turn lanes at the Hagen Ranch Road/Boynton Beach Boulevard intersection.
- (c) The six-laning of Boynton Beach Boulevard from west of Hagen Ranch Road through the Jog Road intersection.

3. The County Engineer is directed to include the Committed Projects in the 5 Year Road Program within the time permitted in the code for assured construction by ear-marking reserve funds such that County funds would be used only in the event that other commitments are not received to assure the construction of the Committed Projects prior to the time frame established in the 5 Year Program.

4. It is the intent of this Resolution that when placed in the 5 Year Road Program, the Committed Projects may only be considered "Assured Construction" for the Winsberg Farms MUPD PDD 97-96 and the Winsberg Farm PUD PDD 97-95 until such time as construction has commenced on the Committed Projects or is assured by others.

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

BURT AARONSON, CHAIRMAN	-	Aye
MAUDE FORD LEE, VICE CHAIR	-	Aye
KAREN T. MARCUS	-	Absent
CAROL A. ROBERTS		Absent
WARREN H. NEWELL	-	Aye
MARY McCARTY	-	Aye
KEN FOSTER	-	Absent

The Chairman thereupon declared the Resolution duly passed and adopted this 26 day of March 1998.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

Dorothy H. Wilken, Clerk

By: [Signature]
COUNTY ATTORNEY

By: [Signature]
DEPUTY CLERK

