



## 2016 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

**Palm Beach County Planning Division**  
2300 North Jog Road, WPB, FL 33411, (561) 233-5300

### I. Amendment Data

<b>Round</b>	16-B	<b>Intake Date</b>	July 15, 2015
<b>Application Name</b>	<b>Indian Trails Grove</b>	<b>Concurrent?</b>	<b>Yes</b>
<b>Acres</b>	+/-4,929.304	<b>Text Amend?</b>	Yes
<b>Location</b>	Approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard		
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Rural Tier	Rural Tier	
<b>Use</b>	Agricultural	Residential with accessory Commercial	
<b>Zoning</b>	Agricultural Production (AP), in part, and Agricultural Residential (AR), in part	RR-1.25 Planned Unit Development (RR-1.25 PUD)	
<b>FLU</b>	Agricultural Production (AP), in part (approximately 1,278.54 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650.764 acres)	Rural Residential, 1 unit per 1.25 acres (RR-1.25)	
<b>Underlying FLU</b>	Not applicable	Not applicable	
<b>Conditions</b>	Not applicable	None	

### II. Site Data

<b>Built Features</b>	The subject property is primarily used for agriculture and there are no structures outside of accessory agriculture structures on the property. See Attachment F for Built Feature and Inventory Map.
<b>PCN</b>	<p>PCN's are as follows:</p> <ul style="list-style-type: none"> <li>• 00-39-42-25-00-000-1000</li> <li>• 00-40-42-17-00-000-7000</li> <li>• 00-40-42-18-00-000-7000</li> <li>• 00-40-42-19-00-000-9000</li> <li>• 00-40-42-20-00-000-9000</li> <li>• 00-40-42-21-00-000-9000</li> <li>• 00-40-42-22-00-000-1010</li> <li>• 00-40-42-27-00-000-9000</li> <li>• 00-40-42-30-00-000-9000</li> </ul>

	<ul style="list-style-type: none"> <li>• 00-40-42-31-00-000-9000</li> <li>• 00-40-42-34-00-000-1010</li> <li>• 00-40-43-03-00-000-3020</li> <li>• 00-40-43-04-00-000-9010</li> </ul> <p>Please see Attachment A for Legal and Attachment P for the Survey.</p>
<b>Street Address</b>	18033/18230 70 <sup>th</sup> Road North and 18600 59 <sup>th</sup> Lane North
<b>Frontage</b>	<ul style="list-style-type: none"> <li>• Approximately 1,535 lineal feet along Hamlin Boulevard;</li> <li>• Approximately 9,490 lineal feet along 180<sup>th</sup> Avenue North</li> <li>• Approximately 5,327 lineal feet along Orange Boulevard</li> <li>• Approximately 7,709 lineal feet along 59<sup>th</sup> Lane North</li> <li>• Approximately 3,122 lineal feet along Louise Street</li> </ul>
<b>Legal Access</b>	See conceptual Master Plan in Attachment Q
<b>Contiguous under same ownership</b>	Not applicable
<b>Acquisition details</b>	<p>PCN's 00-39-42-25-00-000-1000, 00-40-42-17-00-000-7000, 00-40-42-18-00-000-7000, 00-40-42-19-00-000-9000, 00-40-42-20-00-000-9000, 00-40-42-21-00-000-9000, 00-40-42-22-00-000-1010, 00-40-42-27-00-000-9000, 00-40-42-30-00-000-9000, 00-40-42-31-00-000-9000 and 00-40-42-34-00-000-1010 were purchased for \$163,831,200.00 by Palm Beach West Associates I, LLLP from Indian Trail Groves L.P. on November 9, 2005 per the Special Warranty Deed recorded in Official Records Book (ORB) 19548, Page (PG) 796 on November 17, 2005.</p> <p>PCN's 00-40-43-00-000-3020 and 00-40-43-04-00-000-9010 were purchased for \$21,116,738.00 by Palm Beach West Associates I, LLLP from Irving Cowan, Individually and as Trustee, on November 14, 2005 per the Special Warranty Deed recorded in ORB 19548, PG 552 on November 17, 2005.</p>
<b>Size purchased</b>	The parcels acquired were not part of a larger property. Please see Attachment A for copies of all the deeds and the applicable corporation documents.

### III. Development History

<b>Previous FLUA Amendments</b>	There have been no previous FLUA Amendment approvals granted on the subject property. The subject property was included within the 53,000-acre Central Western Communities (CWC) Sector Plan that was never adopted or implemented.
<b>Zoning Approvals, Control Number</b>	There have been no previous Zoning approvals granted on the subject property.
<b>Concurrency</b>	Water and wastewater concurrency was approved through a Potable Water and Wastewater Development Agreement entered into among PBC and Indian Trail Groves, L.P./Irving Cowan (later assigned to Palm Beach West Associates I, LLLP) and recorded in ORB 18924, PG 0357 on July 19, 2005. Copies of the agreement and the assignment can be found in Attachment I. Please note the language in the third paragraph on page 4 of the agreement which requires Palm Beach West Associates I, LLLP to execute an amendment to the agreement within 90 days AFTER development order issuance by the Board of County Commissioners (BCC) for the development plan approved by the BCC.

	All other concurrency will be applied for at the appropriate time.
<b>Plat, Subdivision</b>	The subject property has not been platted, is not subject to a master plan and has not been subdivided.

#### IV. Development Potential Data and Analysis

	Current	Proposed
<b>Max Trip Generator</b>	<i>[Provided by Engineering]</i>	
<b>Maximum DU <sup>1</sup></b>	3,650.764 <sup>5</sup> acres X 0.10 du/ac = 365 du	4,929.304 acres X 0.80 du/ac = 3,943 du
<b>Population Estimate</b>	365 du X 2.39 persons = 872 persons	3,943 du X 2.39 persons = 9,423 persons
<b>Maximum Beds</b>	Not applicable	Not applicable
<b>Maximum SF <sup>2, 4</sup></b>	Not applicable	Not applicable; however, PUD's do allow a maximum of 1% of commercial uses for use primarily by residents of the PUD which would equate to 49 acres of a commercial pod. The applicant is proposing 225,000 square feet of commercial uses within this pod.
<b>Max Trip Generation</b>	Not applicable	Not applicable
<b>Conditioned DU <sup>3,4</sup></b>	Not applicable	Not applicable
<b>Conditioned Beds <sup>3,4</sup></b>	Not applicable	Not applicable
<b>Conditioned SF <sup>3,4</sup></b>	Not applicable	Not applicable
<b>Conditioned Trip G. <sup>3,4</sup></b>	Not applicable	Not applicable
<b>Trip Increase Max.</b>	Not applicable	
<b>Trip Inc. Conditioned or Concurrent</b>	Not applicable	

#### Notes

1. Maximum units per acre see Future Land Use Element Table III.C.1;
2. Maximum FAR see FLUE Table III.C.2 for FAR. If the site's acreage is large enough to be a planned development, utilize the PDD maximum whether or not a PDD is proposed. If the site's acreage does not meet the minimum PDD thresholds, the non-PDD maximum may be utilized.
3. For applications with a voluntary condition for a maximum development potential and use which will become binding in the adopting ordinance;
4. FLUA Amendments with a concurrent zoning application must calculate maximum development potential at the typical use & trip generation (eg. General Retail for Commercial future land uses) and in addition, calculate the trip generation for the actual proposed zoning application.
5. Density only calculated on that portion of the subject property within the RR-10 FLUA designation.

## V. Agent Information

<b>Name</b>	Chris Barry, AICP CUD, Senior Planner
<b>Company Name</b>	Urban Design Kilday Studios
<b>Address</b>	610 Clematis Street, Suite CU02
<b>City, State, Zip</b>	West Palm Beach, FL 33401
<b>Phone / Fax Number</b>	(561) 366-1100 / (561) 366-1111
<b>Email Address</b>	<a href="mailto:cbarry@udkstudios.com">cbarry@udkstudios.com</a>

## VI. Applicant Information

	<b>Applicant A</b>	<b>Applicant B</b>
<b>Name</b>	Kevin Ratterree, Vice President	Not applicable
<b>Company Name</b>	Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner	Not applicable
<b>Address</b>	1600 Sawgrass Corporate Parkway, Suite 400	Not applicable
<b>City, State, Zip</b>	Sunrise, FL 33323	Not applicable
<b>Phone / Fax Number</b>	(954) 753-1730 / (954) 575-5240	Not applicable
<b>Email Address</b>	<a href="mailto:kevin.ratterree@glhomes.com">kevin.ratterree@glhomes.com</a>	Not applicable
<b>Type (Owner, Contract Purchaser)</b>	Owner	Not applicable

## VII. Consistency & Compatibility

<b>Justification</b>	Please see Attachment G for Consistency with the Comprehensive Plan and Florida Statutes statement prepared by Urban Design Kilday Studios.
<b>Residential Density Increases</b>	Please see Attachment G for Consistency with the Comprehensive Plan and Florida Statutes statement prepared by Urban Design Kilday Studios.
<b>Comprehensive Plan</b>	Please see Attachment G for Consistency with the Comprehensive Plan and Florida Statutes statement prepared by Urban Design Kilday Studios.
<b>Florida Statutes</b>	Please see Attachment G for Consistency with the Comprehensive Plan and Florida Statutes statement prepared by Urban Design Kilday Studios.
<b>Compatibility</b>	Please see Attachment G for Consistency with the Comprehensive Plan and Florida Statutes statement prepared by Urban Design Kilday Studios.

Adjacent Lands	Uses	FLU	Zoning
<b>North</b>	Conservation	Conservation (CON)	Conservation (CON)
	Residential	Rural Residential, 1 unit per 2.5 acres (RR-2.5)	Agricultural Residential (AR)
	Public Park	Rural Residential, 1 unit per 10 acres (RR-10)	Public Ownership (PO)
<b>South</b>	Agricultural Production	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Production (AP)
	Residential	Rural Residential, 1 unit per 10 acres (RR-10) and Rural Residential, 1 unit per 5 acres (RR-5)	Agricultural Residential (AR)
<b>East</b>	Residential	Rural Residential, 1 unit per 2.5 acres (RR-2.5)	Agricultural Residential
	Public Middle/Elementary Schools	Rural Residential, 1 unit per 10 acres (RR-10)	Agricultural Residential (AR)
	Proposed Mixed Use	Agricultural Enclave (AGE)	Traditional Town Development (TDD)
<b>West</b>	Utilities	Agricultural Production (AP)	Agricultural Production (AP)
	Conservation	Agricultural Production (AP)	Agricultural Production (AP)

## VIII. Public Facilities Information

### A. Traffic Information

Please see Attachment H for the Land Use Plan Amendment Application Traffic Statement prepared by Simmons & White.

	Current FLU	Maximum	Conditioned or Concurrent
<b>Max Trip Generation</b>	3,650 tpd	46,077 tpd	Not applicable
<b>Trip Increase Max.</b>	42,427 tpd		
<b>Trip Inc. Conditioned or Concurrent</b>	Not applicable		

<b>Significantly impacted roadway segments that fail Long Range</b>	See Attachment H	See Attachment H	See Attachment H
<b>Significantly impacted roadway segments for Test 2</b>	See Attachment H	See Attachment H	See Attachment H
<b>Traffic Consultant</b>	Simmons & White, Inc. – Bryan G. Kelley, P.E. & Kyle Duncan, Vice President		
<b>B. Mass Transit Information</b>			
<b>Nearest Palm Tran Route (s)</b>	Palm Tran Route 40 runs along Southern Boulevard approximately 4.7 miles south of the subject property.		
<b>Nearest Palm Tran Stop</b>	The nearest stop is at the intersection of Southern Boulevard and Seminole Pratt Whitney Road which is 7+ miles from the subject property. The applicant expects that Palm Tran will have no comments similar to the Minto West project.		
<b>Nearest Tri Rail Connection</b>	Route 40 has a direct link to the Downtown West Palm Beach Tri-Rail Station.		
<b>C. Portable Water &amp; Wastewater Information</b>			
Please see Attachment I for the Level of Service request letter to the PBC Water Utilities Department dated June 19, 2015 and the Utility Statement prepared by GLH Engineering.			
<b>Potable Water &amp; Wastewater Providers</b>	Palm Beach County Water Utilities Department		
<b>Nearest Water &amp; Wastewater Facility, type/size</b>	The nearest potable water mains and sewer mains are located in (1) Hamlin Boulevard at PBC Park "F" (12" water main and 8" force main) and (2) Seminole Pratt Whitney Road, at 64 <sup>th</sup> Place North, approximately 2 miles east of the subject property (30" water main and 20" force main)		
<b>D. Drainage Information</b>			
The subject property is within the SFWMD L-8 Basin and is currently permitted under Permit No. 50-02564-S. Legal positive outfall will be provided by the L-8 Canal which is adjacent to the west side of the subject property. Please see Attachment J for Drainage Statement prepared by GLH Engineering.			
<b>E. Fire Rescue</b>			
<b>Nearest Station</b>	Palm Beach County Fire-Rescue Station #22		
<b>Distance to Site</b>	Approximately 2.41 miles		
<b>Response Time</b>	TBD		
<b>Effect on Resp. Time</b>	Please see letter from the Fire-Rescue Department in Attachment K.		

## F. Environmental

<b>Significant habitats or species</b>	<p>The existing land use and vegetative associations are typical of an intensive agricultural operation. Virtually the entire property is under cultivation for various vegetable row crops such as lettuce, tomato, cabbage, and other varieties. Remnant freshwater systems are scattered throughout the assessment area from agricultural operations that commenced back in the 1950's and 1960's as was typical during this era. Most of these wetland areas have been significantly impacted by invasive exotic vegetation to the point that little native vegetation coverage remains and wildlife usage is extremely limited. Please see Attachment L for the Environmental Assessment prepared by the Wantman Group.</p>
<b>Flood Zone*</b>	<p>A majority of the property is located in Flood Zone "B" with a small portion (along the southwest side) being located in Flood Zone AO – Depth 1.0'. Please see Attachment M for Floodplain Statement prepared by GLH Engineering.</p>
<b>Wellfield Zone*</b>	<p>The subject property is located outside of the wellfield protection zones. Please see Attachment M for Wellfield Protection Zone Statement prepared by GL Homes.</p>

*\* If the site is located within an A or V flood zone and/or within a Wellfield Protection zone, requests for greater intensity may be viewed unfavorable.*

## G. Historic Resources

Please see Attachment N for request for Historic Resource Evaluation Letter from the County Historic Preservation Officer/Archeologist.

## H. Parks and Recreation - Residential Only

Park Type	Name & Location	Level of Svc. (ac. per person)	Population Change	Change in Demand
Regional	Okeeheelee Park, 7715 Forest Hill Boulevard, West Palm Beach, FL	0.00339	8,551 persons	28.98 acres
Beach	Phil Foster Park, 900 E. Blue Heron Boulevard, Riviera Beach, FL 33404	0.00035		2.99 acres
District	Samuel Friedland Park, 18500 Hamlin Boulevard, Loxahatchee, FL 33470	0.00138		11.8 acres

<b>I. Libraries - Residential Only</b>			
<b>Library Name</b>	Acreage Branch		
<b>Address</b>	15801 Orange Boulevard		
<b>City, State, Zip</b>	Loxahatchee, FL 33470		
<b>Distance</b>	Approximately 2.2 miles		
<b>Component</b>	<b>Level of Service</b>	<b>Population Change</b>	<b>Change in Demand</b>
<b>Collection</b>	2 holdings per person	8,551 persons	17,102 holdings
<b>Periodicals</b>	5 subscriptions per 1,000 persons		43 subscriptions
<b>Info Technology</b>	\$1.00 per person		\$8,551.00
<b>Professional staff</b>	1 FTE per 7,500 persons		1.14 FTE
<b>All other staff</b>	3.35 FTE per professional librarian		3.8 FTE
<b>Library facilities</b>	0.34 sf per person		2,907 s.f.
<b>J. Public Schools - Residential Only</b>			
Please see Attachment O for the Level of Service request letter to the School District of PBC.			
	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Name</b>	Frontier	Osceola Creek	Seminole Ridge Community
<b>Address</b>	6701 180 <sup>th</sup> Avenue North	6775 180 <sup>th</sup> Avenue North	4601 Seminole Pratt Whitney Road
<b>City, State, Zip</b>	Loxahatchee, FL 33470	Loxahatchee, FL 33470	Loxahatchee, FL 33470
<b>Distance</b>	Adjacent	Adjacent	4.4 miles

## **IX. Attachments**

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- A. PCN's, Legal Description and Warranty Deed**
- B. Agent Consent Form**
- C. Applicant's Ownership Affidavit**
- D. Applicant's Notice Affidavit and Property Appraiser Information List**
- E. Disclosure of Ownership Interests**
- F. Built Feature Inventory & Map**
- G. Consistency with the Comprehensive Plan and Florida Statutes, Residential & Non-Residential Analyses and Proposed PDR's**
- H. Traffic Approval Letter & Traffic Study**
- I. Water & Wastewater Provider LOS Letters & Utility Statement**
- J. Drainage Statement**
- K. Fire Rescue Letter**
- L. Natural Feature Inventory & Map**
- M. Wellfield Zone**
- N. Historic Resource Evaluation Letter**
- O. Palm Beach County School District LOS Letter**
- P. Survey**
- Q. Master Plan**



# DEVELOPMENT POTENTIAL FORM - 2016 FUTURE LAND USE ATLAS AMENDMENT APPLICATION

**Palm Beach County Planning Division**  
2300 North Jog Road, WPB, FL 33411, (561) 233-5300

## I. Amendment Data

<b>Round</b>	16-B	<b>Date</b>	July 2, 2015
<b>Application Name</b>	<b>Indian Trails Grove</b>	<b>PCN</b>	<b>See justification statement in Attachment E</b>
<b>Applicant</b>	Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner	<b>Overlay</b>	Indian Trails Grove Overlay (new overlay)
<b>Agent</b>	Urban Design Kilday Studios	<b>Concurrent?</b>	Yes
<b>Location</b>	The subject property is located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard	<b>Acres</b>	+/-4,929.304
	<b>Current</b>	<b>Proposed</b>	
<b>Tier</b>	Rural	Rural	
<b>Use</b>	Agriculture	Residential with accessory Commercial	
<b>Zoning</b>	Agricultural Production (AP), in part, and Agricultural Residential (AR), in part	Planned Unit Development (PUD)	
<b>FLU</b>	Agricultural Production (AP), in part (approximately 1,278.54 acres), and Rural Residential, 1 unit per 10 acres (RR-10), in part (approximately 3,650.764 acres)	Rural Residential, 1 unit per 1.25 acres (RR-1.25) (new FLU designation)	
<b>Underlying FLU</b>	N/A	N/A	
<b>Conditions</b>	TBD	TBD	
<b>Max Trip Generator</b>	<i>[Engineering]</i>		
<b>Maximum DU <sup>1</sup></b>	3,650.764 <sup>1</sup> acres X 0.10 du/ac = 365 du	4,929.304 acres X 0.80 du/ac = 3,943 du	
<b>Maximum Beds</b>	N/A	N/A	
<b>Maximum SF <sup>2, 4</sup></b>	Not applicable; however, PUD's do allow a maximum of 1% of commercial uses for use primarily by residents of the PUD which would equate to 49 acres of a commercial pod. The	225,000 sf	

	applicant is proposing 225,000 square feet of commercial uses within this pod.	
<b>Max Trip Generation</b>	<i>See Traffic Study</i>	<i>See Traffic Study</i>
<b>Conditioned DU</b> <sup>3,4</sup>	N/A	N/A
<b>Conditioned Beds</b> <sup>3,4</sup>	N/A	N/A
<b>Conditioned SF</b> <sup>3,4</sup>	N/A	N/A
<b>Conditioned Trip G.</b> <sup>3,4</sup>	N/A	N/A

*1Density only calculated on that portion of the subject property within the RR-10 FLUA designation.*

## II. Traffic Information

In order to be accepted on the day of intake, the application must include a written letter from the County Engineering Department indicating compliance with Policy 3.5-d of the FLUE of the Comprehensive Plan. The letter must state if the traffic generation for the amendment meets FLUE 3.5-d at the maximum density/intensity for the proposed future land use designation or the square footage/use proposed to be assigned as a voluntary condition of approval. For more information, contact the Traffic Division at 684-4030 or visit <http://www.pbcgov.com/pzb/planning/FLU.htm>

	<b>Current FLU</b>	<b>Maximum</b>	<b>Conditioned or Concurrent</b>
<b>Max Trip Generation</b>	3,650.764 <sup>1</sup> acres X 0.10 du/ac = 365 du = 3,650 TPD	4,929.304 acres X 0.80 du/ac = 3,943 du = 39,430 TPD	N/A
<b>Trip Increase Max.</b>	Increase of 35,780 TPD		
<b>Trip Inc. Conditioned or Concurrent</b>	See Traffic Study		
<b>Significantly impacted roadway segments that fail Long Range</b>	See Traffic Study	See Traffic Study	See Traffic Study
<b>Significantly impacted roadway segments for Test 2</b>	See Traffic Study	See Traffic Study	See Traffic Study
<b>Traffic Consultant</b>	Simmons & White, Inc. – Rob Rennebaum, PE, President, & Kyle Duncan, Vice President		

*1Density only calculated on that portion of the subject property within the RR-10 FLUA designation.*

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### III. Agent Information

<b>Name</b>	Chris Barry, AICP CUD, Senior Planner
<b>Company Name</b>	Urban Design Kilday Studios
<b>Address</b>	610 Clematis Street, Suite CU02
<b>City, State, Zip</b>	West Palm Beach, FL 33401
<b>Phone / Fax Number</b>	(561) 366-1100 / (561) 366-1111
<b>Email Address</b>	<a href="mailto:cbarry@udkstudios.com">cbarry@udkstudios.com</a>



**TEXT & MAP AMENDMENT REQUEST FORM - 2016  
FUTURE LAND USE ATLAS AMENDMENT APPLICATION**

**Palm Beach County Planning Division**  
2300 North Jog Road, WPB, FL 33411, (561) 233-5300

**I. Proposed Text Amendment**

<p><b>Elements &amp; Policies to be revised</b></p>	<ol style="list-style-type: none"> <li>(1) Add new objective and policies to the Future Land Use Element (FLUE) to create the Indian Trails Grove Overlay;</li> <li>(2) Revise the Managed Growth Tier System Map LU 1.1 to identify the boundaries of the Indian Trail Grove Overlay (ITGO);</li> <li>(3) Revise the Service Areas Map LU 2.1 to show the subject property's removal from the rural service area and inclusion within the limited urban service area;</li> <li>(4) Revise the Special Planning Areas Map LU 3.1 to identify the location of the Indian Trails Grove Overlay;</li> <li>(5) Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 60th Street North as an 80' right of way west from Seminole Pratt Whitney Road to 190<sup>th</sup> Street</li> <li>(6) Revise the Thoroughfare Right of Way Identification Map TE 14.1 to show the extension of 190<sup>th</sup> Street as an 80' right of way north from 60<sup>th</sup> Street North to Orange Blvd;</li> <li>(7) Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 60th Street North as an undefined right of way Seminole Pratt Whitney Road to 190<sup>th</sup> Street;</li> <li>(8) Revise the Functional Classification of Roads Map TE 3.1 to show the extension of 190<sup>th</sup> Street as an undefined right of way from 60<sup>th</sup> Street North to Orange Blvd; and</li> <li>(9) Creation of a new rural residential Future Land Use Atlas (FLUA) designation titled Rural Residential, 1 unit per 1.25 acres (RR-1.25) along with the establishment of the subject property as a LUSA.</li> </ol>
<p><b>Purpose</b></p>	<p>The purpose of the FLUA Amendment request from Agricultural Production (AP), in part, and Rural Residential, 1 unit per 10 acres (RR-10), in part, to Rural Residential, 1 unit per 1.25 acres (RR-1.25), in whole, is to allow for the proposed development of 3,943 dwelling units, 225,000 s.f. of neighborhood commercial uses and civic uses (TBD). Combined with the FLUA Amendment request is a request to designate the subject property as a Limited Urban Service Area (LUSA).</p> <p>In order to allow the above, the applicant is proposing Comprehensive Plan Text Amendments creating the Indian Trails Grove Overlay and a new RR-1.25 FLUA designation.</p>
<p><b>Justification</b></p>	<p>See Attachment E for justification statement.</p>
<p><b>Consistency</b></p>	<p>See Attachment E for justification statement.</p>
<p><b>Text Changes</b></p>	<ol style="list-style-type: none"> <li>(1) <b>Table of Contents – Future Land Use Element (add)</b>  <u>Objective 1.12 Indian Trails Grove Overlay (ITGO)</u></li> <li>(2) <b>Amend Table 1.A Acreage by Existing Generalized Future Land Use</b>  <b>Table 1.A Acreage by Existing Generalized Future Land Use</b>  <b>Unincorporated County</b> <b>Generalized Future Land Use Acres</b> Low Residential 43,490 Medium Residential 21,120 High Residential 25,630</li> </ol>

Rural Residential ~~61,690~~ 63,020  
 Commercial 4,070  
 Urban Center & Infill 650  
 Multiple Land Use 240  
 Commercial Recreation 1,990  
 Industrial 14,350  
 Institutional & Public Facilities 2,510  
 Utilities/Transportation & Spoil 5,440  
 Park 5,120  
 Conservation 346,280  
 Agricultural Enclave 3,700  
 Agricultural Reserve 20,350  
 Agricultural Production ~~469,700~~ 468,370  
 Lake Okeechobee (not a FLU) 157,360  
**Total Unincorporated County 1,183,690**

**(3) OBJECTIVE 1.4 Rural Tier**

**General:** The Rural Tier includes agricultural land and rural settlements that range in density from primarily 1 dwelling unit per 5 acres to 1 dwelling unit per 20 acres, except in special planning areas such as, but not limited to, the Indian Trails Grove Overlay (ITGO). These areas support large agricultural operations as well as single-family homes with small family -owned agricultural businesses, including equestrian related uses. Due to the declining availability of land and the increase in population in the Urban and Exurban Tiers, the Rural Tier is beginning to experience pressure for urban densities and nonresidential intensities normally associated with a more urban area. The strategies in the Rural Tier are established to protect and enhance rural settlements that support agricultural uses and equestrian uses while also providing an alternative style of development in specific areas that further the goals of the Rural Tier.

**Objective:** Palm Beach County shall plan for the impacts of growth outside of the Urban Service Area, recognizing the existence of both large undeveloped tracts as well as areas containing densities equal to or less than 1 dwelling unit per 5 acres established prior to the adoption of the 1989 Comprehensive Plan located in proximity to environmentally sensitive natural areas while protecting the Rural Tier lifestyle. The Rural Tier shall be afforded rural levels of service, except in special planning areas such as, but not limited to, the Indian Trails Grove Overlay (ITGO).

**Policy 1.4-a:** The County shall protect and maintain the rural residential, equestrian and agricultural areas within the Rural Tier by:

1. Preserving and enhancing the rural landscape, including historic, cultural, recreational, agricultural, and open space resources;
2. Providing facilities and services consistent with the character of the area;
3. Preserving and enhancing natural resources; and,
4. Ensuring development is compatible with the scale, mass, intensity of use, height, and character of the rural community.

**Policy 1.4-b:** The Rural Residential (RR-5) Future Land Use category shall be established to maintain a rural residential lifestyle for the Rural Tier. The County will initiate an amendment to the Future Land Use Atlas to designate qualifying subdivisions which meet the criteria listed below, as RR-5:

1. The average lot size is less than 10 acres;
2. The number of lots eligible for further subdivision does not exceed 15% of

the total number of existing lots, consistent with the County's 85% Rule described in the FLUA Regulation Section; and,

3. The number of potential new lots created has minimal impact on the transportation network as defined in Land Use Policy 3.5-d.

This future land use category shall recognize all existing lots as of the date of the designation, but shall require a minimum of 5 acres for all newly created lots thereafter, unless developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development. Development Orders or Permits, which require a specific plan for development, shall comply with the provisions of the concurrency management system of the County.

**Policy 1.4-c:** To protect rural areas and provide for preservation of agriculture, minimum density requirements shall not be established in the Rural Tier.

**Policy 1.4-d:** Any parcel of land in the Rural Tier shall not be further subdivided to form additional parcels, nor reduced in size, unless: each parcel created is consistent with the minimum lot size required by its respective future land use designation or is developed as a Rural Residential (RR) Cluster or Variable-Lot-Size development or as a Rural Residential Planned Unit Development (RR PUD). Parcels may be subdivided for the purpose of enlarging other parcels in the subdivision. The overall number of units of the reconfigured lots may not exceed the original number of units calculated for the lots being reconfigured.

**Policy 1.4-e:** All contiguous lots which are owned by the same person or entity as of December 1, 1989 shall comply with the density requirement of the applicable land use designation under the Comprehensive Plan, as amended, unless exempted by the 85% Rule defined in the FLUA Regulation Section. A lot(s) not exempted under this policy shall be combined with another commonly owned contiguous lot(s) to:

1. Comply with the density requirement; or
2. Reduce the density inconsistency if there are not sufficient contiguous lots to fully comply with the density requirement.

**Policy 1.4-f:** The County shall prohibit new commercial future land use designations that do not have frontage on either: 1) one collector and one arterial roadway; or 2) two arterial roadways (as depicted on the Federal Functional Classification of Roads Map TE 3.1), unless it is shown that a vehicular cross connection can be established to an adjacent site with a non-residential future land use designation, or such development is planned as a Traditional Marketplace Development (TMD).

**Policy 1.4-g:** Non-residential development shall be designed in the form of a Traditional Marketplace, or the development shall comply with rural design standards in the ULDC to ensure protection of the character of the Tier and to minimize impacts on adjacent neighborhoods, except in special planning areas such as, but not limited to, the Indian Trails Grove Overlay (ITGO). Standards for Traditional Marketplace Development shall also reflect the scale and character of the Rural Tier.

**Policy 1.4-h:** The County shall promote the development of central community places where feasible, considering the existing development pattern, by clustering and collocating neighborhood commercial uses, day care, places of worship, and public community-serving uses. Community-serving uses may include, but are not limited to, a mix of government satellite offices, meeting space, schools, parks and

recreation facilities, and libraries. Buildings in these central community places should be sited to form a public common or green space for community use. Site planning, building orientation, architectural treatment, and landscaping of non-residential development should reflect the character of a rural community.

**Policy 1.4-i:** Future development in the Rural Tier shall be consistent with native ecosystem preservation and natural system restoration, regional water resource management protection, and incorporation of greenway/linked open space initiatives.

**Policy 1.4-j:** The existence of public facilities of any kind, including potable water, wastewater and/or reclaimed water pipelines, shall not be used as justification for making future land use decisions that increase density and/or intensity in the Rural Tier. In order to ensure system efficiency, properties within an area where a public or privately owned potable water, reclaimed water, and/or wastewater utility has been granted or assigned utility service area rights by Palm Beach County, the utility may extend lines and the properties may connect to the utility's system.

**Policy 1.4-k:** The County shall continue to assign areas with a RR20 Future Land Use designation as TDR sending areas as an incentive to preserve wetlands, consistent with Future Land Use Objective 2.4 regarding the TDR program.

**Policy 1.4-l:** The County shall continue to provide the rural zoning regulations for areas designated Rural Residential in order to protect and maintain the rural communities of present and future residents of these areas. The regulations shall, at a minimum:

1. Retain the Agricultural Residential zoning designation and the agricultural uses permitted by the Unified Land Development Code.
2. Provide for zoning districts, which appropriately accommodate residential and/or agricultural uses consistent with the applicable Rural Residential future land use category;
3. Provide assurances that agricultural uses shall be allowed in rural residential neighborhoods;
4. Guarantee the keeping of livestock;
5. Maintain specific regulations to restrict the types of non-residential and nonagricultural uses allowed and promote the rural character through design, and provide for locational criteria, which will prohibit the scattering of such uses throughout the Rural Tier;
6. Provide limitations on the types and number of uses permitted by the conditional use process;
7. Allow home occupation uses that will not degrade the rural character of the area;
8. Include provisions for non-conforming agricultural uses consistent with this Plan, while not violating the Right-to-Farm Act;
9. Include provisions that restrict clear-cutting for residential purposes to encourage: preservation of open space and protection of native vegetation and tree canopy in front, rear and side yards: preservation of environmental systems, protection of wildlife and retention of the rural character of the Rural Tier.
10. Provide protection for Rural Residential areas in the Rural Tier from the impacts associated with commercial mining operations and excavation, such as, but not limited to, hauling activity, blasting, vibration, noise, dust, and glare.
11. Provide for the enhancement and continuation of equestrian uses and facilities to support equestrian operations and events.

(4) **OBJECTIVE 1.12 Indian Trails Grove Overlay (ITGO)**

**General:** The Purpose of the Overlay is to provide a transition from rural/suburban development and other uses to existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. The Overlay complements existing provisions in the Comprehensive Plan prohibiting the expansion of urban and suburban activities into conservation areas.

**Objective:** This Overlay encourages the appropriate transition between rural/suburban preservation and conservation areas while allowing for residential development at a density that is compatible with the surrounding area.

**Policy 1.12-a:** The Indian Trails Grove Overlay is depicted on the Special Areas Planning Map LU 3.1, in the Map Series and consists of approximately 4,929 acres of land generally located approximately one (1) mile west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard.

**Policy 1.12-b:** The Rural Residential, 1 unit per 1.25 acres (RR-1.25) Future Land Use category shall be established to allow a compatible density with the existing rural residential lifestyle adjacent to the Indian Trails Grove Overlay. Any parcel of land in the RR-1.25 Future Land Use category shall be developed in accordance with the developments standards for RR-1.25 Planned Development District Planned Unit Development (RR-1.25 PDD's) found in the Unified Land Development Code.

**Policy 1.12-c:** Notwithstanding Table III.C of this Element, the Rural Residential, 1 unit per 1.25 acres (RR-1.25) shall be allowed only within the Indian Trails Grove Overlay.

**Policy 1.12-d:** Development shall only occur in the format of a Rural Residential 1.25 Planned Development District Planned Unit Development with a minimum gross land area of 900 acres.

**Policy 1.12-e:** For the purposes of contiguity, any land area within the Indian Trails Grove Overlay shall be considered contiguous so long as it is submitted under one unified plan of development.

**Policy 1.12-f:** In order to reduce urban sprawl and create a more sustainable land use pattern, the Rural Residential 1 unit per 1.25 acres (RR-1.25) shall be required to exhibit the following characteristics:

1. Open Space shall comprise a minimum of 50% of the gross acreage. A minimum of 25% of the 50% required open space shall: (1) be set aside in the form of contiguous area and shall be limited to preservation, conservation, passive recreation, wetlands, bona fide agriculture, regional water management, fallow land, and/or equestrian uses; (2) be clustered along the western edge of the Overlay; and, (3) be depicted on the Conceptual Plan approved by the Board of County Commissioners.
2. Neighborhood-serving commercial uses are permitted up to a maximum of 225,000 square feet and shall comprise no more than 1% of the overall gross land area. This commercial uses shall: (1) comply with the commercial pod provisions for a Planned Unit Development (PUD) found in the Unified Land Development Code (ULDC); (2) notwithstanding the regulations of Table III.C.2. of the Future Land Use Element, utilize the

property development regulations of the CC district in Table 3.D.1.A.-17 of the ULDC; and, (3) not be located within ¼ mile of any existing residential structure or unit on a lot less than 5.0 acres in size at the time of Conceptual Plan approval.

...

(5) **Policy 3.3-a:** The limited Urban Service Area: The following are designated as Limited Urban Service Areas:

1. the area described as the United Technology - Pratt and Whitney Overlay;
2. the area defined as the General Aviation Facility/ North County Airport;
3. the Agricultural Reserve; and
4. areas within the Exurban Tier where the Legislature has granted a special district the authority to provide urban levels of service for potable water and/or sewer following the installation of centralized water and/or sewer systems; installation of a force main to serve a single project shall not constitute justification for a LUSA designation;
5. the area east of the SFWMD L-8 Canal within the Glades Area Protection Overlay; ~~and~~
6. an Agricultural Enclave pursuant to Florida Statute section 163.3162(5); and
7. the Indian Trails Grove Overlay.

...

(6) **Policy 3.5-d:** The County shall not approve a change to the Future Land Use Atlas which:

...

**TABLE 3.5-1  
Significant Impact**

Net Trip Generation**	Distance
1 – 50	No significant impact
51 – 1,000	Only address directly accessed link on first accessed major thoroughfare*
1,001 – 4,000	One (1) mile*
4,001 – 8,000	Two (2) miles*
8,001 – 12,000	Three (3) miles*
12,001 – 20,000	Four (4) miles*
20,001 – up	Five (5) miles*

\* A project has significant traffic: (1) when net trip increase will impact FIHS and SIS facilities which are already exceeding the adopted LOS or cause the adopted LOS for FIHS or SIS facilities to be exceeded; and/or (2) where net trip increase impacting roads not on the FIHS or SIS is greater than one percent (1%) for volume to capacity ratio (v/c) of 1.4 or more, two percent (2%) for v/c of 1.2 or more and three percent (3%) for v/c of less than 1.2 of the level of service "D" capacity on an AADT basis of the link affected up to the limits set forth in this table. The laneage shall be as shown on the MPO's latest adopted LRTP.

\*\* When calculating net trip increase, traffic associated with all prior Land Use Atlas amendment approvals for the property that has not yet received development order approvals, shall be cumulatively included in the analysis. Consideration will also be given to alternative modes of transportation (i.e. bicycle lanes, bicycle paths, bus lanes, fixed rail, and light rail facilities) in reducing the number of net trips. These alternative modes must either be operating at the time of the change to the Future Land Use Atlas or be included in both the Transportation Element (Mass Transit) and the Capital Improvement Element of the Comprehensive Plan.

or;

2) results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1-b.

This policy shall not be applicable to an Agricultural Enclave pursuant to Florida Statutes section 163.3162(5). This policy shall not be applicable to the area designated as SR-7 Economic Development Overlay (EDO). This policy shall not be applicable to the area designated as Industrial in the Urban Service Area of the Glades Tier amended by FLUA Amendment Inland Logistics Center (LGA 2010-024). This policy shall not be applicable to the Indian Trails Grove Overlay.

...

(7) Amend Table III.C., as follows:

**Table III.C**

Future Land Use	FLU Category	Tier				
		Urban/Sub & Glades USA	Exurban	Rural	Ag Reserve	Glades RSA <sup>1</sup>
Rural Residential	RR-20, RR-10	---	X	X	---	---
	RR-5	---	X	X	---	---
	RR-2.5	---	X	---	---	---
	<u>RR-1.25</u>	<u>---</u>	<u>---</u>	<u>X</u>	<u>---</u>	<u>---</u>
Urban Residential	LR, MR, HR	X	---	---	---	---

...

(8) Amend Table III.C.1. as follows:

**Table III.C.1  
RESIDENTIAL CATEGORIES & ALLOWED DENSITIES**

Category	Dwelling Units Per Gross Acre			
	Maximum	Standard <sup>1</sup>	Minimum	Entitlement <sup>2</sup>
Special Agriculture	---	0.10 DU/AC	---	---
Agricultural Reserve	1.0 DU/AC	0.20 DU/AC	---	---
Agricultural Enclave <sup>6</sup>	---	---	---	---
Rural Residential 20 Not to exceed 1 du per 20 acres	---	0.05 DU/AC	---	0.05 DU/AC
Rural Residential 10 Not to exceed 1 du per 10 acres	---	0.10 DU/AC	---	0.05 DU/AC
Rural Residential 5 Not to exceed 1 du per 5 acres	---	0.20 DU/AC	---	0.05 DU/AC
Rural Residential 2.5 Not to exceed 1 du per 2.5 acres	---	0.40 DU/AC	---	0.05 DU/AC
<u>Rural Residential 1.25</u> <u>Not to exceed 1 du per 1.25 acres</u>	<u>---</u>	<u>0.80 DU/AC</u>	<u>---</u>	<u>0.05 DU/AC</u>
Low Residential 1 Not to exceed 1 du per 1 acre	---	1.0 DU/AC	---	0.1 DU/AC

**ULDC Changes**

(1) Table 3.E.1.B., notes 1 and 2, as follows:

1. The minimum density in the RR FLU designation for a PUD are as follows: RR20 – 0.5 unit/20 acres; RR10 0.5 unit/10 acres; RR5 – 0.5 unit/5 acres; RR2.5 – 0.5 unit/2.5 acres; RR1.25 – 0.5 unit/1.25 acres.
2. The maximum density in the RR FLU designation for a PUD are as follows: RR20 – 1 unit/20 acres; RR10 1 unit/10 acres; RR5 1 unit/5 acres; RR2.5 – 1 unit/2.5 acres; RR1.25 – 1 unit/1.25 acres.

(2) Table 3.E.2.C. – PUD Minimum Thresholds (Acreage), as follows:

**Table 3.E.2.C - PUD Minimum Thresholds (Acreage)**

	AGR	RR20, RR10, RR5, RR2.5	RR1.25	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18
Minimum Acreage	40 (80/20)	100	900	100 (Rural TZ)	5	5	5	5	3	3	3
	250 (60/40)			3 (Suburban TZ)							

(3) Table 3.E.2.C. – PUD Land Use Mix, as follows:

**Table 3.E.2.C - PUD Land Use Mix**

	Res.	Civic (1)	Comm.	Rec.	OS (2)	Preserve Area	Dev. Area
MIN	60%	2% (1)	-	.006 acre	40%	80/20 AGR - 80%	-
						60//40 AGR - 60%	
MAX	-	65%	1%	-	-	-	80/20 AGR -25% (3)
							60/40 AGR - 40%

[Ord. 2006-004] [Ord. 2008-037] [Ord. 2011-001]

**Notes:**

1. Minimum civic pod requirement may be waived, subject to the following:  
Public civic may not be required where two percent of the gross acreage of a PDD is less than 1.5 acres in size, subject to FD&O approval; and,  
If located in a CCRT area, shall be labeled as private civic unless waived by the BCC.
2. Calculation of open space may include recreation pods, civic pod and open space areas within residential. Within the RR1.25 FLU, a minimum of 50% OS shall be provided.
3. See 80/20 option exception.

(4) Table 3.E.2.D. – PUD Property Development Regulations:

**Table 3.E.2.D - PUD Property Development Regulations**

POD	Lot Dimensions			Density		FAR (2)	Building Coverage	Setbacks			
	Size	Width and Frontage	Depth	Min.	Max.			Front	Side	Side Street	Rear
<b>Residential</b>											
SF	Apply the RS district regulations in Table 3.D.1.A-17, Property Development Regulations, <u>with the exception of RR1.25 PUDs, which property development regulations shall be established in the conditions of approval and shown on the Conceptual Plan approved as part of the FLUA amendment.</u>										
ZLL	Refer to <a href="#">Article 3.D.2.B, Zero Lot Line (ZLL)</a> .										
TH	Refer to <a href="#">Article 3.D.2.A, Townhouse</a> .										
MF	Apply the RM district regulations in Table 3.D.1.A-17, Property Development Regulations.										
<b>Civic</b>											
Private	0.5 ac	100	100	-	-	-	30 percent	25	20	25	20
Public	1.5 ac.	100	200	-	-	-					
<b>Commercial</b>											
Commercial	Apply CC district regulations in Table 3.D.1.A-17, Property Development Regulations										
<b>Recreation</b>											
Recreation Pod	-	65	75	-	-	-	30 percent	25	15	25	15
Neighborhood Park	0.1	45	75	-	-	-	15 percent	15	15	15	15
<b>Preservation (1)</b>											
Preservation	Apply the AGR district regulations in Table 3.D.1.A, Property Development Regulations										
<b>[Ord. 2005-002] [Ord. 2007-001] [Ord. 2008-037]</b>											
<b>Notes:</b>											
1. Preservation includes the Preservation Areas in a PUD allowed in the AGR FLU designations.											
2. maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted.											

(5) Article 3, Chapter E, Section 2.E.1.a., as follows:

**a. Range of Housing**

A PUD in excess of 100 acres and 300 dwelling units shall provide a minimum of two residential use types. A minimum of ten percent of the residential dwellings in a PUD in excess of this threshold shall be of a second use type. This provision shall not apply to RR1.25 PUDs.

(6) Article 3, Chapter E, Section 2.E.2.b, as follows

**Location**

A commercial pod shall comply with the following location and design criteria:

**1. Frontage**

A commercial pod shall not have frontage on a public arterial or collector street traversing or bordering the PUD. Access shall be limited to an arterial or collector street internal to the PUD only.

**a) Exception**

1. A private arterial or collector street traversing the PUD is exempt from this requirement;

2. A commercial pod located within an RR1.25 PUD provided: (a) the location of the commercial pod is shown on the Conceptual Plan approved by the BCC as part of the FLUA amendment; and (b) at the time of approval of the commercial pod on the Preliminary Development Plan by the BCC, the commercial pod is not located within ¼ mile of any existing residential structure or unit on a lot less than 5.0 acres in size.

**2. Setback**

a) A commercial pod shall be setback a minimum of 1000 feet from the perimeter of the PUD; unless exempted pursuant to Art. 3.E.2.E.2.b.1.a).2, in which case the commercial pod may be located within 1000 feet the perimeter of the PUD.

b) A commercial pod shall be setback a minimum of 1000 feet from a public arterial or collector street traversing the PUD; unless exempted pursuant to Art. 3.E.2.E.2.b.1.a).2, in which case the commercial pod may be located within 1000 feet of a public arterial or collector street traversing the PUD.

(7) Article 3, Chapter E, Section, 2.G.1 (RR PUD), as follows:

**1. Rural Residential**

The following additional regulations apply to the PUDs in the RR FLU Designation, with the exception of RR1.25 PUDs, which shall follow the provisions of Art. 3.E.1 and Art. 3.E.2.A through Art. 3.E.2.E.

## **II. Attachments**

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- A. PCN's, Legal Description and Warranty Deed**
- B. Agent Consent Form**
- C. Applicant's Ownership Affidavit**
- D. Disclosure of Ownership Interests**
- E. Justification Statement**

# Indian Trails Grove

## Future Land Use Atlas Amendment



### Attachment A

PCN's, Legal Description and Warranty Deed



#### **PROPERTY CONTROL NUMBER(S)**

- 00-39-42-25-00-000-1000
- 00-40-42-17-00-000-7000
- 00-40-42-18-00-000-7000
- 00-40-42-19-00-000-9000
- 00-40-42-20-00-000-9000
- 00-40-42-21-00-000-9000
- 00-40-42-22-00-000-1010
- 00-40-42-27-00-000-9000
- 00-40-42-30-00-000-9000
- 00-40-42-31-00-000-9000
- 00-40-42-34-00-000-1010
- 00-40-43-03-00-000-3020
- 00-40-43-04-00-000-9010

#### **LEGAL DESCRIPTION**

##### **PARCEL 1:**

A PARCEL OF LAND LYING IN SECTIONS 19, 20, 21, 22, 27, 30, 31, THE SOUTH HALF OF SECTIONS 17 AND 18, AND THE NORTH HALF OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, AND SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF SECTIONS 19, 20, 21, 22, 27 AND 30; TOGETHER WITH THE SOUTH ONE-HALF (S 1/2) OF SECTIONS 17 AND 18; ALL THAT PART OF SECTION 31 LYING NORTH AND EAST OF THE 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 2431, AT PAGE 1704 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND THE NORTH ONE-HALF (N 1/2) OF SECTION 34, ALL IN TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH A STRIP OF LAND SITUATE IN SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 40 EAST AND PROCEED SOUTH 00° 44' 23" EAST, ALONG THE EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.05 FEET; THENCE NORTH 89° 16' 01" WEST LEAVING SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 2754.58 FEET; THENCE SOUTH 00° 44' 30" EAST, A DISTANCE OF 50.02 FEET; THENCE NORTH 89° 16' 01" WEST, A DISTANCE OF 3450.90 FEET; THENCE SOUTH 85° 14' 36" WEST, A DISTANCE OF 981.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF A 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT OF WAY; THENCE NORTH 43° 15' 25" WEST ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 616.98 FEET; THENCE SOUTH 89° 16' 01" EAST LEAVING SAID NORTH RIGHT OF WAY, A DISTANCE OF 7605.78 FEET TO A POINT ON THE SAID EAST LINE OF RANGE 39 EAST; THENCE SOUTH 00° 43' 59" WEST ALONG SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 4004, AT PAGE 136 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

THE NORTH 135 FEET OF THE SOUTH 1/2 OF SECTIONS 17 AND 18, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 9363, AT PAGE 813 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

**PARK**

THE PARCELS OF LAND LYING IN THE NORTH HALF (N 1/2) OF THE NORTH HALF (N 1/2) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22, LESS THE EAST 425 FEET THEREOF; ALSO LESS THE NORTH 50 FEET THEREOF;

TOGETHER WITH

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 22, LESS THE WEST 195 FEET THEREOF; ALSO LESS THE NORTH 50 FEET THEREOF.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

**SCHOOL SITE**

THE EAST 978.88 FEET OF THE SOUTH 1335.00 FEET OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

**MIDDLE SCHOOL SITE**

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER (1/4); THENCE NORTH 00° 05' 37" WEST, ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1335.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST SECTION LINE, NORTH 89° 58' 53" WEST, A DISTANCE OF 1372.00 FEET; THENCE NORTH 00° 05' 37" WEST, A DISTANCE OF 901.00 FEET; THENCE NORTH 89° 26' 02" EAST, A DISTANCE OF 1372.04 FEET TO THE EAST LINE OF SAID SECTION 34; THENCE SOUTH 00° 05' 37" EAST, A DISTANCE OF 915.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING NORTH 89° 58' 53" WEST.

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

**HIGH SCHOOL SITE**

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH

00° 02' 47" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4), A DISTANCE OF 1481.20 FEET; THENCE NORTH 89° 53' 55" WEST, A DISTANCE OF 1763.98 FEET; THENCE NORTH 00° 00' 18" EAST, A DISTANCE OF 1481.20 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER (NE 1/4); THENCE SOUTH 89° 53' 55" EAST, A DISTANCE OF 1765.05 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

**PALM BEACH COUNTY PARCEL**

THE PARCELS OF LAND LYING IN THE NORTH HALF (N 1/2) OF THE NORTH HALF (N 1/2) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 50.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, LESS THE EAST 425.00 FEET THEREOF.

TOGETHER WITH

THE NORTH 50.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22, LESS THE WEST 195.00 FEET THEREOF.

**PARCEL 2:**

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2,632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3,610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2,530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

EXCEPTING THEREFROM THAT PORTION OF SAID SECTION 4 CONVEYED TO THE CITY OF WEST PALM BEACH AS DESCRIBED IN THE DEED FROM INDIAN TRAIL RANCH, INC., DATED JULY 26, 1956 AND RECORDED SEPTEMBER 25, 1956 IN DEED BOOK 1156, PAGE 58, WHICH DEED WAS CORRECTED IN PART BY THE CORRECTIVE QUIT CLAIM DEED DATED OCTOBER 7, 1963 AND FILED OCTOBER 8, 1963 IN OFFICIAL RECORDS BOOK 924, PAGE 965.

ALSO EXCEPTING THEREFROM THE NORTH 100 FEET OF SECTION 4 AND THE NORTH 100 FEET OF THAT PORTION OF SECTION 3 LYING WEST OF THE RIGHT

OF WAY LINE OF THE M CANAL, ALL IN TOWNSHIP 43 SOUTH, RANGE 40 EAST,  
PALM BEACH COUNTY.

CONTAINING A TOTAL OF 4929.304 ACRES MORE OR LESS.

NORTH



NTS

FLU: CON  
ZONING: AP

FLU: AP (1,278.5 Acres)  
RR-10 (3,650.8 Acres)  
Zoning: AP & AR  
± 4,929.3 Acres

FLU: AP  
ZONING: AP

FLU: RR-5  
& RR-10  
ZONING: AP  
& AR

FLU: RR-2.5  
ZONING: AR

NORHLAKE BLVD

FLU: RR-5  
& RR-10  
ZONING: AR

SEMINOLE PRATT WHITNEY RD



June 19, 2015

Urban Design Kilday Studios  
610 Clematis Street, Suite CU02  
West Palm Beach, FL 33401  
Attn: Mr. Chris Barry

RE: Indian Trail Grove - Future Land Use Amendment - (4,929 acres located west of Seminole Pratt Whitney Road, north of M-Canal)  
Your letter dated 06-09-2015

Dear Mr. Barry,

This is to confirm that Palm Beach County Water Utilities Department (PBCWUD) is the potable water, wastewater and reclaimed water service provider for the referenced property. PBCWUD has the capacity to provide the required level of service at the current FLUA Designation as Agricultural Production (AP), in part, and Rural Residential, 1 unit per 10 acres (RR-10), in part.

Also, PBCWUD has the capacity to provide the required level of service at the proposed higher density FLUA designation as Rural Residential, 1 unit per 1.25 acres (RR-1.25), allowing for 3,943 residential units and 225,000 square feet of retail uses. The nearest PBCWUD owned water and sewer pipes are located as follow:

1. Hamlin Blvd at PBC Park "F" : 12" Water Main and 8" force Main
2. Seminole Pratt Whitney Road, at 64th Place North, approx. 2 miles east from subject property: 30" Water Main and 20" Force Main

Please note that no water or sewer services are being provided to the property by PBCWUD at this time. If you have any questions please call me at (561)493-6122.

Sincerely,

Adam Galicki  
Manager of Technical Services

cc: Jim Stiles, Director WUD  
Hassan Hadjimiry, P.E., Assistant Director WUD

AG/mb

**Water Utilities Department  
Engineering**  
P.O. Box 16097  
West Palm Beach, FL 33413-6097  
(561) 493-6000  
Fax: (561) 493-6113  
www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**  
  
Shelley Vana, Mayor  
Mary Lou Berger, Vice Mayor  
  
Hal R. Valeche  
  
Paulette Burdick  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**  
  
Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

**STANDARD ASSIGNMENT**

**ACKNOWLEDGEMENT AND ASSIGNMENT OF RESERVED (EXCLUDES PRE-PAID CONNECTIONS) EQUIVALENT RESIDENTIAL CONNECTIONS AND CORRESPONDING TERMS OF THE ORIGINAL AGREEMENT TO PROPERTIES IDENTIFIED IN THE ORIGINAL DEVELOPMENT AGREEMENT**

Indian Trail Groves, L.P. (the "ASSIGNOR"), hereby assigns 100 Equivalent Residential Connections (ERCs) of potable water and wastewater system capacity under that certain Potable Water and Wastewater Development Agreement (DA) by and between ASSIGNOR, Irving Cowan, Individually and as Trustee, and Palm Beach County, dated July 12, 2005 and recorded in Official Records Book 18924, Page 357 of the Public Records of Palm Beach County, Florida, to Palm Beach West Associates I, LLLP (the "ASSIGNEE").

ASSIGNOR further assigns all rights, privileges, duties and obligations for those ERCs being assigned, and ASSIGNEE hereby acknowledges responsibility for all such rights, privileges, duties and obligations required under the above-referenced agreement. The expiration date of said assigned ERCs is June 30, 2010.

The Property receiving this assignment is located in Palm Beach County, Florida, and contains the following legal description

**SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF (the "PROPERTY")**

Lot N/A, Block N/A

**BY EXECUTION HEREOF, ASSIGNOR ACKNOWLEDGES AND AGREES THAT THE NUMBER OF ERCs REMAINING FOR ASSIGNOR'S USE ON THE PROPERTY IS 0 (ZERO) ERCs.**

**WITNESSES:**

**ASSIGNOR EXECUTION:**

INDIAN TRAIL GROVES L.P., a Delaware limited partnership

By: COWAN INDIAN TRAIL LLC, a Florida limited liability company

By: Irving Cowan  
Irving Cowan, Managing Member

By: FRIEDLAND INDIAN TRAIL LLC, a Florida limited liability company

By: Jack Friedland  
Jack Friedland, Managing Member

David S. Kenin  
DAVID S. KENIN  
Joan F. Spisak  
JOAN F. SPISAK

[notary acknowledgements and acceptance of assignment follow on next page]

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing ERC assignment was acknowledged before me, a Notary Public for ~~Palm Beach County~~, <sup>the State of Florida</sup> Florida, this 14<sup>th</sup> day of November 2005, by IRVING COWAN, as Managing Member of COWAN INDIAN TRAIL LLC, a Florida limited liability company, in said company's capacity as General Partner of INDIAN TRAIL GROVES L.P., a Delaware limited partnership on behalf of said limited partnership. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

My Commission Expires: 12-26-06

Joan F. Spisak  
Signature of Notary  
**OFFICIAL NOTARY SEAL  
JOAN F SPISAK  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. 017054  
MY COMMISSION EXP. DEC. 25, 2006**

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing ERC assignment was acknowledged before me, a Notary Public for Palm Beach County, Florida, this \_\_\_\_\_ day of November 2005, by JACK FRIEDLAND, as Managing Member of FRIEDLAND INDIAN TRAIL LLC, a Florida limited liability company, in said company's capacity as General Partner of INDIAN TRAIL GROVES L.P., a Delaware limited partnership on behalf of said limited partnership. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary  
\_\_\_\_\_  
Typed, Printed or Stamped Name of Notary

=====

**ASSIGNEE ACKNOWLEDGMENT:**

**ASSIGNEE**  
Palm Beach West Associates I, LLLP  
By: Palm Beach West I Corporation, its general partner  
By: \_\_\_\_\_  
N. Maria Menendez, Vice President

Date: \_\_\_\_\_

Address/Phone: 1600 Sawgrass Corporate Parkway, Suite 300  
Sunrise, Florida 33323  
954-753-1730

\_\_\_\_\_  
**PALM BEACH COUNTY WATER UTILITIES  
DEPARTMENT CONSENT:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**MUST ATTACH COPY OF RECORDED WARRANTY DEED(S)**

ITG

**STANDARD ASSIGNMENT**

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By: COWAN INDIAN TRAIL LLC, a Florida limited liability company

By: \_\_\_\_\_  
Irving Cowan, Managing Member

By: FRIEDLAND INDIAN TRAIL LLC, a Florida limited liability company

By: \_\_\_\_\_  
Jack Friedland, Managing Member

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[notary acknowledgements and acceptance of assignment follow on next page]

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COUNTY OF \_\_\_\_\_

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My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Typed, Printed or Stamped Name of Notary

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Typed, Printed or Stamped Name of Notary

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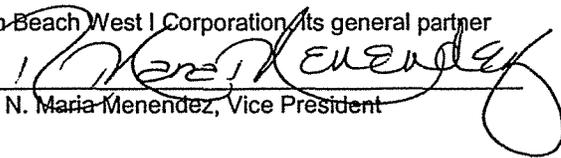
**ASSIGNEE ACKNOWLEDGMENT:**

**ASSIGNEE**

Palm Beach West Associates I, LLLP

Date: \_\_\_\_\_

By: Palm Beach West I Corporation, its general partner

By:   
N. Maria Menendez, Vice President

Address/Phone: 1600 Sawgrass Corporate Parkway, Suite 300  
Sunrise, Florida 33323  
954-753-1730

\_\_\_\_\_  
**PALM BEACH COUNTY WATER UTILITIES  
DEPARTMENT CONSENT:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**MUST ATTACH COPY OF RECORDED WARRANTY DEED(S)**

**STANDARD ASSIGNMENT**

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WITNESSES:

ASSIGNOR EXECUTION:

David J. Kenin  
DAVID J. KENIN  
Joan F. Spisak  
JOAN F. SPISAK

Irving Cowan  
Irving Cowan, Individually and as Trustee

STATE OF FLORIDA  
COUNTY OF Miami-Dade

The foregoing ERC assignment was acknowledged before me, a Notary Public for Palm Beach County, Florida, this 4<sup>th</sup> day of November 2005, by IRVING COWAN, Individually and as Trustee. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

My Commission Expires: 12-26-06

Joan F. Spisak  
Signature of Notary

Typed, Printed or Stamped Name of Notary Public  

OFFICIAL NOTARY SEAL JOAN F. SPISAK NOTARY PUBLIC STATE OF FLORIDA COMMISSION NO. DD173554 MY COMMISSION EXP. DEC. 25, 2006
---

[acceptance of assignment follow on next page]

=====

**ASSIGNEE ACKNOWLEDGMENT:**

**ASSIGNEE**

Palm Beach West Associates I, LLLP

By: Palm Beach West I Corporation, its general partner

Date: \_\_\_\_\_

By: \_\_\_\_\_  
N. Maria Menendez, Vice President

Address/Phone: 1600 Sawgrass Corporate Parkway, Suite 300  
Sunrise, Florida 33323  
954-753-1730

=====

**PALM BEACH COUNTY WATER UTILITIES  
DEPARTMENT CONSENT:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**MUST ATTACH COPY OF RECORDED WARRANTY DEED(S)**

=====

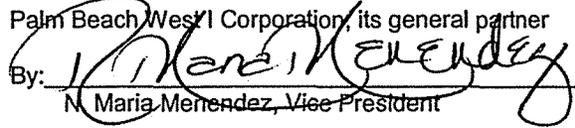
**ASSIGNEE ACKNOWLEDGMENT:**

**ASSIGNEE**

Palm Beach West Associates I, LLLP

Date: \_\_\_\_\_

By: Palm Beach West I Corporation, its general partner

By:   
N. Maria Menendez, Vice President

Address/Phone: 1600 Sawgrass Corporate Parkway, Suite 300  
Sunrise, Florida 33323  
954-753-1730

=====

**PALM BEACH COUNTY WATER UTILITIES  
DEPARTMENT CONSENT:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**MUST ATTACH COPY OF RECORDED WARRANTY DEED(S)**



**Water Utilities Department**

**Administration**

P.O. Box 16097

West Palm Beach, FL 33416-6097

(561) 493-6000

FAX: (561) 493-6008

www.pbcwater.com



**Palm Beach County  
Board of County  
Commissioners**

Tony Masilotti, Chairman

Addie L. Greene, Vice Chairperson

Karen T. Marcus

Jeff Koons

Warren H. Newell

Mary McCarty

Burt Aaronson

**County Administrator**

Robert Weisman

October 11, 2005

Indian Trail Groves, LP, and Irving Cowan, Individually and as Trustee  
1401 University Dr Ste 200  
G L Homes Attn: Kevin Ratterree  
Coral Springs, FL 33071-8908

RE: Indian Trail Groves  
SDA # 11-01003-000

Enclosed please find an executed "Standard Potable Water & Wastewater (Special Conditions) Development Agreement" for the above referenced project. This document has been recorded in Palm Beach County's Official Public Records at Book 18924, Page 357.

Please do not hesitate to contact the Department's Contract Management Section at (561) 493-6053 should you have any questions.

Sincerely,

Mark Fallon  
Contract Manager

cc: File

Enc.

*Copy to:*  
*Alan F; Larry P;*  
*Rick E; Anthony L;*  
*Mike Summashi; 664ys;*  
*file.*

"An Equal Opportunity  
Affirmative Action Employer"

R 2005 1391

POTABLE WATER AND WASTEWATER DEVELOPMENT AGREEMENT (DA)

THIS AGREEMENT made and entered into this JUL 12 2005 day of \_\_\_\_\_, 2005, by and between **PALM BEACH COUNTY**, a subdivision of the State of Florida, hereinafter referred to as "Utility", and **INDIAN TRAIL GROVES, L.P., a Delaware Limited Partnership and Irving Cowan, Individually and as Trustee**, hereinafter referred to as "Property Owner."

WITNESSETH

WHEREAS, Property Owner owns property located in Palm Beach County, Florida, and as more fully described in **Exhibit "A"**, attached hereto and made a part hereof and hereinafter referred to as "Property"; whereupon Property Owner has or is about to develop the Property by erecting thereon residential or non-residential improvements; and

WHEREAS, Property Owner desires to construct potable water and wastewater facilities hereinafter referred to as "facilities"; and

WHEREAS, upon the conditions set forth herein, Utility desires to accept ownership of the completed potable water and wastewater facilities for operation and maintenance purposes; and

WHEREAS, Property Owner understands that this contract for service in no way entitles Property Owner to densities which are greater than those allowed under the density provisions of the Comprehensive Plan of Palm Beach County, or to densities or development rights as may otherwise be limited by the Board of County Commissioners; and

WHEREAS, in the interest of public health and to encourage the use of central water and wastewater facilities, Utility desires to enter into this Agreement.

NOW THEREFORE, for and in consideration of these premises, the mutual undertakings and agreements herein contained and assumed, Property Owner and Utility hereby covenant and agree as follows:

1. The foregoing statements are true and correct.
2. The following definitions and references are given for the purpose of interpreting the terms as used in this Agreement and apply unless the context indicates a different meaning:
  - (a) "UPAP" - the Uniform Policies and Procedures Manual of the Palm Beach County Water Utilities Department as may be amended from time to time, which is incorporated herein by reference;
  - (b) "Service" - the readiness and ability on the part of Utility to furnish potable water to and to collect wastewater from the property;
  - (c) "Point of Service" - generally, the point where the pipes or meters of Utility are connected with pipes of Property Owner as further defined in Chapter 1 of the UPAP;
  - (d) "Equivalent Residential Connection (ERC)" - a system capacity equivalency unit which corresponds to the peak demand of the 5/8" x 3/4" meter sub-category of the single-family residential category of Customer usage. This system capacity equivalency unit is utilized to establish the system demand for various sized connections for the purpose of assessing fees;

DA # 11-01003-000

ATTN: MARK FALLON, CONTRACT MANAGEMENT,  
PBC WATER UTILITIES DEPT.  
8100 FOREST HILL BLVD, WPB, FL 33413

## POTABLE WATER AND WASTEWATER

- (e) "Mandatory Agreement Payment (MAP)" - twelve months of Guaranteed Revenue Fees plus applicable Franchise Fees payable to Utility upon submission of an DA or renewal agreement for each ERC (or ERIC) represented in the Agreement;
- (f) "Service Initiation" - the date a potable water meter or wastewater connection is requested;
- (g) "Guaranteed Revenue Fee" - the fee designed to recover the carrying costs of system capacity which has been or is being constructed in anticipation of future service requests. Carrying costs include fixed operating and renewal and replacement expenses necessary to maintain excess system capacity for future use. Guaranteed Revenue does not recover variable operating expenses;
- (h) "Total Accrued Amount (TAA)" - At the time of Service Initiation for each ERC, a TAA equal to sixty months of Guaranteed Revenue Fees plus applicable Franchise Fees at the then current rate minus the MAP paid per each ERC shall be due and payable for such ERC. The TAA for each ERC will be determined at the time of Service Initiation;
- (i) "Standard Development Renewal Agreement (SDRA)" - an agreement between the County and Property Owner extending the capacity reservation for unused ERCs (ERICs) in a Standard Development Agreement for an additional five (5) years;
- (j) "Franchise Fee" - A percentage surcharge applied to all of the Department's fees for Customers within portions of the Department's utility Service Area with said fees collected by the Department and distributed to another governmental entity.

3. Property Owner hereby grants and gives to Utility the exclusive right and privilege to construct, own, maintain, operate and expand the potable water and wastewater facilities in, under, upon, over and across the present and future streets, roads, easements, reserved utility sites and public places as provided and dedicated to public use in the record plats, or as provided for in agreement, dedications or grants made otherwise and independent of said record plats. Utility covenants that it will use due diligence in ascertaining all easement locations; however, should Utility install any of its facilities outside a dedicated easement area, Property Owner covenants and agrees that Utility will not be required to move or relocate any facilities lying outside a dedicated easement area as long as the facilities do not interfere with the then or proposed use of the area in which the facilities have been installed. Property Owner hereby further agrees that the foregoing grants include the necessary rights of ingress and egress to any part of the Property which Utility requests for the maintenance, operation or expansion of the potable water and wastewater facilities; that in the event Utility is required or desires to install any of its potable water and wastewater facilities in lands within the Property lying outside the streets and easement areas described above, then Property Owner shall grant to Utility, without cost or expense to Utility, the necessary easement or easements for such installation; provided, all such installations by Utility shall be made in such a manner as not to interfere with the then primary use of such Property. Property Owner shall obtain written approval from Utility prior to installing any structure or object, including, but not limited to, fences, gates, signs, trees, or poles within an easement area. In consideration of Utility's consent to an encroachment, Property Owner shall agree to indemnify and hold Utility harmless from and against all liabilities, damages, penalties, claims costs and expenses, including attorney's fees at all levels, which may be imposed upon or asserted against Utility as a result of or in any way connected to an encroachment approved by Utility. In the event the Utility determines that it is necessary to construct, maintain, repair, remove, or replace any of its facilities located under, over, or upon an easement, Property Owner shall immediately remove the encroachment from the easement upon the request of Utility at Property Owner's sole cost and expense. If Property Owner fails to remove the encroachment, Utility shall have the right to remove the encroachment from the easement. Property Owner shall pay all costs related to removing the encroachment from the easement incurred by the Utility.

Property Owner, as further consideration of this Agreement, and in order to effectuate the foregoing grants to Utility, hereby places the following covenant, as a covenant running

## POTABLE WATER AND WASTEWATER

with the land, upon the Property and thereby subjecting it to a reservation, condition, limitation, or restriction in favor of Utility, as follows:

Utility, or its successors, has the sole and exclusive right to provide all potable water and wastewater facilities and services to the Property described in **Exhibit "A"** and in addition to any property to which potable water and wastewater service is actually rendered by Utility. All occupants of any residence or non-residential improvement erected or located on the Property and all subsequent or future owners or purchasers of the Property, or any portion thereof, shall exclusively receive their potable water and wastewater service from the aforesaid Utility and shall pay for the same and shall abide by the terms and intent of this Agreement, and the UPAP, for as long as the aforesaid Utility provides such services to the property. Further, all occupants of any residence or non-residential improvement erected or located on the Property and all subsequent or future owners or purchasers of the property, or any portion thereof, agree, by occupying any premises on the Property or by recording any deed of conveyance with respect to the Property, that they will not construct or otherwise make available or use potable water and wastewater service from any source other than that provided by Utility.

Any water well or water source used solely for the purpose of supplying irrigation for the Property is excluded from this restriction unless the Property is required to utilize reclaimed water in accordance with the Palm Beach County Reclaimed Water Ordinance.

Further, in order to give an additional and supplementary notice to all the future Property Owners of any of the Property of the rights of Utility to provide the Property with potable water and wastewater facilities and services, Property Owner hereby covenants and agrees to have the above restrictive covenant or its equivalent included in the general subdivision restrictions and to place the same of record in the Public Records of Palm Beach County, Florida.

4. Upon the continued accomplishment of all the prerequisites contained in this Agreement to be performed by Property Owner, Utility covenants and agrees that it will allow the connection of the potable water distribution and wastewater collection facilities installed by Property Owner to the potable water and wastewater facilities of Utility in accordance with the terms and intent of this Agreement. Such connection shall be in accordance with rules, and regulations of the Health Department, the UPAP, and other governmental agencies having jurisdiction over the water supply and wastewater collection and disposal operation of the Utility.

5. Property Owner is required to pay Guaranteed Revenue Fees plus applicable Franchise Fees in order to support investment in plant facilities, as well as the fixed costs of maintaining such facilities and the unused capacity it represents. Therefore, Property Owner agrees to pay in accordance with the UPAP:

(a) a MAP per each ERC for the requested capacity upon submission of this Agreement; and

(b) a TAA per each ERC for the requested capacity upon Service Initiation.

Utility has advised Property Owner that construction of additional potable water and wastewater facilities will be completed in phases designed to coincide with the need for service to Property Owner and other Property Owners in the service area. The Utility should not be expected to provide service to connections in excess of those reserved as evidenced by proper payment of Guaranteed Revenue.

The MAP required upon submission of this Potable Water and Wastewater Agreement is:

**POTABLE WATER AND WASTEWATER**

<b>Potable Water:</b>	<b>\$99.24 per ERC x</b>	<b>100.00 ERCs =</b>	<b>\$9,924.00</b>
<b>Wastewater:</b>	<b>\$183.72 per ERC x</b>	<b>100.00 ERCs =</b>	<b>\$18,372.00</b>
		<b>SUBTOTAL</b>	<b>\$28,296.00</b>
		<b>Franchise Fee</b>	<b>\$2,829.60</b>
		<b>TOTAL MAP DUE</b>	<b>\$31,125.60</b>

Upon receipt of the MAP, Utility agrees to reserve **100.00** ERCs of potable water and wastewater system capacity for Property Owner until **JUNE 30, 2010**, which term may be extended by entering into a Standard Development Renewal Agreement (SDRA) in accordance with the UPAP, as may be amended from time to time, and upon payment of applicable fees. Property Owner acknowledges and agrees Utility shall not refund or reimburse the MAP upon expiration.

Property Owner acknowledges that it is the sole responsibility of Property Owner to provide payment of a new MAP at the then current fees thirty (30) days before the expiration of the original five-year term. Should multiple assignments exist for this Agreement, each assignee must submit the appropriate MAP for any unconnected ERCs related to the assignee's ERCs. Should Property Owner or assignee fail to submit a new MAP payment for their respective unconnected ERCs, Utility shall execute and record a "Termination and Partial Release of Standard or Non Standard Potable Water and Wastewater Development Agreement Due to Non-Renewal.

At the time of Service Initiation, the applicable ERCs will be deducted from said reservation. Within ninety (90) days of issuance of a Development Order by the Palm Beach County Board of County Commissioners on the Property, Property Owner shall be entitled to execute an amendment to this Agreement reserving ERCs in an amount up to those required for utility concurrency for the approved densities on the Property, and Utility shall be required to execute the amendment for said amount. The Property Owner may elect, at its sole and absolute discretion, to amend this Agreement for less than the approved densities permitted by right. The amendment shall include, but shall not necessarily be limited to, non-residential uses such as recreation, civic, commercial and other facilities associated with and consistent with the Development Order issued by Palm Beach County, Florida. The MAP required for the amendment shall be paid at the rate applicable at the time the amendment is executed between Utility and Property Owner. Any amendments to this Agreement shall be binding upon both Utility and Property Owner, shall be subject to all applicable rules and regulations of the Utility, and shall extend the five (5) year term of the Agreement to the date which is five (5) years following the date of execution of the amendment by both Utility and Property Owner. In no event shall the term of this Agreement, whether extended by SDRA or Amendment, exceed a period of ten years. Upon written notice to Utility, said ERCs may be adjusted downward; however, no refund or credit will be given by Utility to Property Owner for said downward adjustment.

6. Property Owner hereby agrees to construct and to transfer ownership and control up to the Point of Service to Utility, at no cost, the on-site and off-site potable water distribution and wastewater collection systems referred to herein. Upon acceptance of said facilities, Utility hereby agrees to accept ownership of the potable water and wastewater facilities for operation and maintenance purposes. Property Owner shall cause to be prepared engineering plans and specifications prepared by and sealed by a professional engineer registered in the State of Florida, showing the on-site and off-site potable water distribution and wastewater collection systems for the Property. Utility will advise Property Owner's engineer of any sizing requirements as mandated by the UPAP. Such detailed plans may be limited to a phase of the Property, and subsequent phases may be furnished from time to time. However, each such phase shall conform to a master plan for the development of the Property and such master plan shall be submitted to Utility concurrent with or prior to submission of plans for the first phase. All such plans and specifications, including hard copy and electronic media, submitted to Utility's engineer shall be subject to the approval of Utility and shall conform to the Utility's standards as set forth in the UPAP, and no construction shall commence until Utility has approved such plans and specifications in

## POTABLE WATER AND WASTEWATER

writing. After approval, Property Owner shall cause to be constructed, at Property Owner's expense, the potable water distribution and wastewater collection systems as shown on the plans and specifications. Fees, as set forth in the UPAP, shall be levied by Utility to cover the cost of plan review and inspection. Property Owner shall also be required to pay Guaranteed Revenue Fees, Connection Fees, Installation Fees, and other fees as set forth in the UPAP.

During the construction of the potable water distribution and wastewater collection systems by Property Owner, Utility may from time to time inspect such installation to determine compliance with the plans and specifications, adequacy of the quality of the installation, and further, shall be entitled to perform standard tests for pressure, infiltration, line and grade, and all other normal engineering tests to determine that the system has been installed in accordance with the approved plans and specifications and the UPAP. Inspection by the Utility shall in no way relieve Property Owner of his responsibility to install the facilities in accordance with the approved plans and specifications and the UPAP. Complete as-built plans, including hard copy and electronic media when utilized, shall be submitted to Utility upon completion of construction.

Property Owner hereby agrees to transfer to Utility title to all potable water distribution and wastewater collection systems installed by Property Owner's contractor pursuant to the provisions of this Agreement. Such conveyance is to take effect without further action upon the acceptance by Utility of the said installation. As further evidence of said transfer of title, upon the completion of the installation and prior to the rendering of service by Utility, Property Owner shall convey to Utility by Bill of Sale in a form supplied by the Utility the complete on-site and off-site potable water distribution and wastewater collection system as constructed by Property Owner and approved by Utility, along with the required Cost Documentation and Property Owner's No Lien Affidavit. Subsequent to construction of the facilities and prior to receiving a meter(s) from Utility, Property Owner shall convey to Utility all easements and/or rights-of-way covering areas in which potable water and wastewater lines are installed by a recordable document in a form supplied by Utility. All conveyance of easements or rights-of-way shall be accompanied by a paid title policy for the benefit of Utility in a minimum amount of:

- \$50.00 per linear foot of any granted utility easement (based on the centerline of the easement); and
- \$150,000.00 for a Department-owned wastewater lift station (if not constructed within an existing utility easement).

Said title policy shall confirm the Grantor's rights to convey such easements or rights-of-way, and further, evidencing Utility's right to the continuous enjoyment of such easements or rights-of-way for those purposes set forth in this Agreement. The use of easement(s) granted by Property Owner may be used by other utilities as long as such is approved by the Utility. Utility's acceptance of the potable water distribution and wastewater collection system installed by Property Owner shall be in accordance with the provisions as set forth in the UPAP. All installations by Property Owner or its contractor shall be warranted for one year (or five years in the case of lift station pumps and motor assemblies) from date of Final DEP Certification. Mortgagees holding liens on such properties shall be required to release such liens, subordinate their position, or join in the granting of the easements or rights-of-way. All potable water distribution and wastewater collection facilities shall be located within an easement if not located within platted or dedicated rights-of-way.

Property Owner hereby agrees to pay to Utility Guaranteed Revenue Fees, Connection Fees, Service Installation Fees, Franchise Fees, and any other applicable fees as set forth in the UPAP at the then current rate.

The timely payment by Property Owner of all fees in accordance with the terms set forth herein shall be considered essential to the continued performance by Utility of the terms and conditions of this Agreement. The construction and transfer of ownership of the potable water distribution and wastewater collection system does not and will not result in Utility

## POTABLE WATER AND WASTEWATER

waiving or offsetting any of its fees, rules or regulations. Property Owner shall not have any present or future right, title, claim, or interest in and to the potable water and wastewater facilities transferred to or owned by Utility.

7. Upon submission of this Agreement, Property Owner, at his expense, agrees to furnish Utility with a copy of the recorded Warranty Deed for the purpose of establishing ownership of the Property. Any mortgagee or lien holder having an interest in the Property shall be required to execute a Consent and Joinder of Mortgagee/Lienholder as supplied by the Utility. A Property Owner must submit either a title policy or a letter from an attorney licensed to do business in Florida confirming that there is no mortgage or lien on the property. The title policy or letter must be issued within thirty (30) days of submittal of the DA.

8. Property Owner agrees with Utility that all potable water and wastewater facilities conveyed to Utility for use in connection with providing potable water and wastewater service to the Property, shall at all times remain in the complete and exclusive ownership of Utility, and any entity owning any part of the Property or any residence or building constructed or located thereon, shall not have the right, title, claim or interest in and to such facilities, or any part of them, for any purpose. In addition, Utility shall have the exclusive right and privilege to provide potable water and wastewater services to the Property and to the occupants of each residence or building constructed thereon.

9. Notwithstanding any provision in this Agreement, Utility may establish, revise, modify, and enforce rules, regulations, and fees covering the provision of potable water and wastewater service to the Property. Such rules, regulations, and fees are subject to the approval of the Palm Beach County Board of County Commissioners. Such rules, regulations, and fees shall be reasonable and subject to regulation as may be provided by law or contract. Fees charged to Property Owner or Customers located upon the Property shall be identical to fees charged for the same classification of service in the particular service area. All rules, regulations and fees as set forth in the UPAP, shall be binding upon Property Owner, upon any other entity holding by, through or under Property Owner, and upon any Customer of the potable water and wastewater service provided to the Property by Utility. Said rules and regulations include, but are not limited to, Service Initiation, oversizing of facilities, use of previously oversized facilities or extension of facilities. Any fee or rate delinquent more than 120 days will automatically void this Standard Development Agreement.

10. Property Owner or his assignee shall not have the right to and shall not connect to the potable water and wastewater facilities of Utility until approval for such connection has been granted by the Utility. The parties hereto further agree that the expense of construction, operation and maintenance of all improvements beyond the Point of Service shall be the sole cost and expense of Property Owner or other than Utility.

11. The sale, conveyance, transfer, or assignment of this Agreement by Property Owner shall only be performed in accordance with the provisions of UPAP. If Property Owner conveys the Property in whole or in part to a third person (such person being referred to herein as a "Transferee"), and such conveyance is done in accordance with UPAP and is acknowledged by the Utility and Transferee, then from and after the date of such conveyance:

(a) Property Owner shall be released from all of its duties, responsibilities and obligations under this Agreement with respect to that portion of the Property conveyed;

(b) Transferee shall be deemed to have assumed and agreed to be bound by all of the duties, responsibilities and obligations of Property Owner under this Agreement with respect to that portion of the Property conveyed; and

(c) The Transferee shall have all of the rights of Property Owner under this Agreement with respect to that portion of the Property conveyed.

## POTABLE WATER AND WASTEWATER

12. All notices provided for herein shall be in writing and transmitted by mail or by courier, and, if to Property Owner shall be mailed or delivered to Property Owner at:

**1401 N University Dr Ste 200  
Coral Springs, FL 33071-8908;**

and if to Utility, shall be mailed to Palm Beach County Water Utilities Department Contract Management Section, P.O. Box 16097, West Palm Beach, FL 33416-6097.

13. The rights, privileges, obligations, and covenants of Property Owner and Utility shall survive the completion of the work of Property Owner with respect to completing the potable water and wastewater facilities and services to any phased area and to the Property as a whole.

14. Unless Property Owner is requesting additional capacity for the property described in **Exhibit "A"**, this Agreement shall supersede, null and void, all previous agreements or representations, either verbal or written, heretofore in effect between Property Owner and Utility, made with respect to the matter herein contained, and when duly executed, constitutes the entire agreement between Property Owner and Utility. No additions, alterations, or variations of terms of this Agreement shall be valid, nor can provisions of this Agreement be waived by either party, unless such additions, alterations, variations, or waiver are expressed in writing and duly signed by the parties hereto. This Agreement shall be governed by the laws of the State of Florida and shall become effective upon execution by the parties hereto. The venue for actions arising out of this Agreement is in Palm Beach County, Florida.

15. Special Conditions:

(a) The Property Owner required pipe size for the off-site section of potable water main to be installed by Utility prior to December 31, 2006, paralleling 40<sup>th</sup> Street North/North Road from 140<sup>th</sup> Avenue North to Seminole-Pratt Whitney Road shall be 30-inch, which is larger than the Utility planned size of 24-inch. The oversizing reimbursement due on or before August 1, 2005, from Property Owner to Utility for this section of pipeline is \$245,700.00 utilizing the oversizing construction cost factors as identified in the UPAP.

(b) The Property Owner required pipe size for the off-site section of potable water main to be installed by Utility prior to December 31, 2006, along Seminole-Pratt Whitney Road from 40<sup>th</sup> Street North to 60<sup>th</sup> Street North (North of the M-Canal) shall be 30-inch, which is larger than the Utility planned size of 14-inch. The oversizing reimbursement due on or before August 1, 2005, from Property Owner to Utility for this section of pipeline is \$600,300.00 utilizing the oversizing construction cost factors as identified in the UPAP.

(c) The Property Owner required pipe size for the off-site section of potable water main to be installed by Utility prior to December 31, 2006, along Seminole-Pratt Whitney Road from 60<sup>th</sup> Street North to Hamlin Boulevard shall be 16-inch, which is larger than the Utility planned size of 12-inch. The oversizing reimbursement due on or before August 1, 2005, from Property Owner to Utility for this section of pipeline is \$209,316.00 utilizing the oversizing construction cost factors as identified in the UPAP.

(d) The Property Owner required pipe size for the off-site section of wastewater force main to be installed by Utility prior to December 31, 2006, paralleling 40<sup>th</sup> Street North/North Road from 140<sup>th</sup> Avenue North to Seminole-Pratt Whitney Road shall be 24-inch, which is larger than the Utility planned size of 20-inch. The oversizing reimbursement due on or before August 1, 2005, from Property Owner to Utility for this section of pipeline is \$182,000.00 utilizing the oversizing construction cost factors as identified in the UPAP.

## POTABLE WATER AND WASTEWATER

(e) The Property Owner required pipe size for the off-site section of wastewater force main to be installed by Utility prior to December 31, 2006, along Seminole-Pratt Whitney Road from 40<sup>th</sup> Street North/North Road to 60<sup>th</sup> Street North (North of the M-Canal) shall be 20-inch, which is larger than the Utility planned size of 12-inch. The oversizing reimbursement due on or before August 1, 2005, from Property Owner to Utility for this section of pipeline is \$295,800.00 utilizing the oversizing construction cost factors as identified in the UPAP.

(f) The Property Owner shall connect to and utilize the pipelines listed in Paragraph 15(a) through 15(e) above (hereinafter "Oversized Pipes") to provide potable water and wastewater service to the Property at the ultimate development densities approved by the Board of County Commissioners, with no additional off-site pipeline improvements required to be installed or paid for by Property Owner in the future for hydraulic capacity in the Oversized Pipes listed above. Furthermore, there shall be no additional costs related to the Oversized Pipes to Property Owner except those specifically stated within this Agreement. Additional costs not specifically stated in this Agreement and for which Property Owner shall not be responsible include, but are not limited to, right-of-way acquisition, easement acquisition, and/or property condemnation associated with Utility's extension of the Oversized Pipes.

(g) Utility shall reimburse Property Owner for all costs associated with the Oversized Pipes in the event the County is prevented from utilizing said Oversized Pipes to provide Service to the Property. However, the County shall not reimburse nor credit the Property Owner for the costs associated with the oversizing of the Oversized Pipes, nor shall the County reimburse nor credit the Property Owner for any other costs under this Agreement, should Property Owner fail to obtain any development approvals necessary to develop the Property.

(h) The County shall not be considered in default of this Agreement for any delays in the extension of any pipelines and appurtenant facilities caused by any legal proceedings whatsoever.

(i) This is solely an Agreement for water and wastewater service and in no way does it grant or entitle the Property Owner to any development approvals or densities greater than those allowed under the density provisions of the Comprehensive Plan of Palm Beach County, nor to densities or development rights as may otherwise be limited by the Board of County Commissioners.

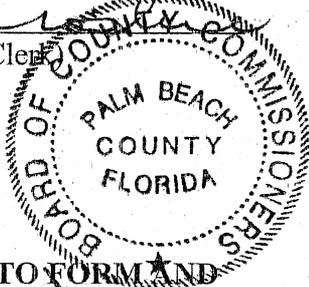
**(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)**

IN WITNESS WHEREOF, Property Owner and Utility have executed or have caused this Agreement, with the named Exhibits attached, to be duly executed in several counterparts, each of which counterpart shall be considered an original executed copy of this Agreement.

Sharon R. Bock, Clerk & Comptroller  
Palm Beach County

R 2005 1391 JUL 12 2005

ATTEST:

*Judith C...*  
Clerk (or Deputy Clerk)  


PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY  
COMMISSIONERS

By: *Addie Greene*  
Tony Masilotti, Chairman

Addie L. Greene, Vice Chairperson

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: *[Signature]*  
County Attorney

APPROVED AS TO TERMS AND  
CONDITIONS

By: *[Signature]*  
Bevin A. Beaudet,  
Department Director or Designee *(u)*

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
Typed or Printed Name  
\_\_\_\_\_  
\_\_\_\_\_  
Typed or Printed Name

PROPERTY OWNER:

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Typed or Printed Name  
\_\_\_\_\_  
Title

[ Corporate Seal ]

NOTARY CERTIFICATE

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_  
by \_\_\_\_\_, of \_\_\_\_\_, a  
\_\_\_\_\_, on behalf of the \_\_\_\_\_. He/she is personally  
known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Typed, Printed, or Stamped Name  
of Notary

Notary Public

\_\_\_\_\_  
Serial Number

SEE PAGES 9A AND 9B ATTACHED HERETO AND MADE A PART HEREOF FOR  
SIGNATURES OF PROPERTY OWNERS.

PROPERTY OWNER:

WITNESSES:

INDIAN TRAIL GROVES L.P., a Delaware limited partnership

[Signature]  
Print Name: IRVING COWAN

By: COWAN INDIAN TRAIL LLC, a Florida limited liability company

[Signature]  
Print Name: CYNTHIA PHILLIPS

By: [Signature]  
Irving Cowan, Managing Member

[Signature]  
Print Name: ROBERT L. KRECHT

By: FRIEDLAND INDIAN TRAIL LLC, a Florida limited liability company

[Signature]  
Print Name: Jack A. Sparto

By: [Signature]  
Jack Friedland, Managing Member

[Signature]  
Print Name: IRVING COWAN

PROPERTY OWNER:

[Signature]  
Print Name: IRVING COWAN

[Signature]

Print Name: CYNTHIA PHILLIPS IRVING COWAN, Individually and as Trustee

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

NOTARY CERTIFICATE

STATE OF FLORIDA )  
 ) SS  
COUNTY OF BROWARD )

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by IRVING COWAN, as Managing Member of COWAN INDIAN TRAIL LLC, a Florida limited liability company, in said company's capacity as General Partner of INDIAN TRAIL GROVES L.P., a Delaware limited partnership, for and on behalf of said limited partnership. He is personally known to me, or has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 20 day of MAY, 2005.

[Signature]

Notary Public

My Commission Expires:

MARLON J. CALERO

Typed, Printed or Stamped Name of Notary Public



Marlon J. Calero  
Commission # DD 068549  
Expires Oct. 30, 2005  
Bonded Thru  
Atlantic Bonding Co., Inc.

NOTE: SEE FOLLOWING PAGE 9B FOR REMAINING EXECUTION

**NOTARY CERTIFICATE**

STATE OF PA )  
 ) SS  
COUNTY OF Montgomery )

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by JACK FRIEDLAND, as Managing Member of FRIEDLAND INDIAN TRAIL LLC, a Florida limited liability company , , in said company's capacity as General Partner of INDIAN TRAIL GROVES L.P., a Delaware limited partnership, for and on behalf of said limited partnership. He is personally known to me, or has produced DRIVERS License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 21<sup>st</sup> day of MAY, 2005.

Margaret Simpson  
Notary Public

My Commission Expires:  
MARGARET SIMPSON, Notary Public  
Lower Merion Twp., Montgomery County  
My Commission Expires April 2, 2006

MARGARET SIMPSON  
Typed, Printed or Stamped Name of Notary Public

**NOTARY CERTIFICATE**

STATE OF PA )  
 ) SS  
COUNTY OF Montgomery )

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by IRVING COWAN, individually and as Trustee. He is personally known to me, or has produced DRIVERS License as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 21<sup>st</sup> day of MAY, 2005.

Margaret Simpson  
Notary Public

My Commission Expires:  
MARGARET SIMPSON, Notary Public  
Lower Merion Twp., Montgomery County  
My Commission Expires April 2, 2006

MARGARET SIMPSON  
Typed, Printed or Stamped Name of Notary Public

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN SECTIONS 19, 20, 21, 22, 27, 30, 31, THE SOUTH HALF OF SECTIONS 17 AND 18, AND THE NORTH HALF OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, AND SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF SECTIONS 19, 20, 21, 22, 27, AND 30; TOGETHER WITH THE SOUTH ONE-HALF (S ½) OF SECTIONS 17 AND 18; ALL THAT PART OF SECTION 31 LYING NORTH AND EAST OF THE 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 2431, AT PAGE 1704, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND THE NORTH ONE-HALF (N ½) OF SECTION 34, ALL IN TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH A STRIP OF LAND SITUATE IN SECTIONS 25 AND 26, TOWNSHIP 42 SOUTH, RANGE 39 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 40 EAST, AND PROCEED SOUTH 00°44'23" EAST, ALONG THE EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.05 FEET; THENCE NORTH 89°16'01" WEST, LEAVING SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 2754.58 FEET; THENCE SOUTH 00°44'30" EAST, A DISTANCE OF 50.02 FEET; THENCE NORTH 89°16'01" WEST, A DISTANCE OF 3450.90 FEET; THENCE SOUTH 85°14'36" WEST, A DISTANCE OF 981.43 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A 660 FOOT FLORIDA POWER & LIGHT COMPANY RIGHT-OF-WAY; THENCE NORTH 43°15'25" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 616.98 FEET; THENCE SOUTH 89°16'01" EAST LEAVING SAID NORTH RIGHT-OF-WAY, A DISTANCE OF 7605.78 FEET TO A POINT ON THE EAST LINE OF RANGE 39 EAST; THENCE SOUTH 00°43'59" WEST ALONG SAID EAST LINE OF RANGE 39 EAST, A DISTANCE OF 150.00 TO THE POINT OF BEGINNING.

LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 4004, AT PAGE 136, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

THE NORTH 135 FEET OF THE SOUTH ½ OF SECTIONS 17 AND 18, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 9363, AT PAGE 813, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

**PARK**

THE PARCELS OF LAND LYING IN THE NORTH HALF (N ½) OF THE NORTH HALF (N ½) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22, LESS THE EAST 425 FEET THEREOF; ALSO LESS THE NORTH 50 FEET THEREOF;

TOGETHER WITH

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 22, LESS THE WEST 195 FEET THEREOF; ALSO LESS THE NORTH 50 FEET THEREOF.

ALSO LESS AND NOT INCLUDING THE FOLLOWING DESCRIBED PARCEL:

**SCHOOL SITE**

THE EAST 978.88 FEET OF THE SOUTH 1335.00 FEET OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA. ALSO LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

**MIDDLE SCHOOL SITE**

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST ONE-QUARTER (NE ¼); THENCE NORTH 00°05'37" WEST, ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1335.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST SECTION LINE, NORTH 89°58'53" WEST, A DISTANCE OF 1372.00 FEET; THENCE NORTH 00°05'37" WEST, A DISTANCE OF 901.00 FEET; THENCE NORTH 89°26'02" EAST, A DISTANCE OF 1372.04 FEET TO THE EAST LINE OF SAID SECTION 34; THENCE SOUTH 00°05'37" EAST, A DISTANCE OF 915.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING NORTH 89°58'53" WEST.

AND LESS AND NOT INCLUDING THE FOLLOWING PARCEL:

**HIGH SCHOOL SITE**

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER (NE ¼) OF SECTION 22, TOWNSHIP 42 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH 00°02'47" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE ¼), A DISTANCE OF 1481.20 FEET; THENCE NORTH 89°53'55" WEST, A DISTANCE OF 1763.98 FEET; THENCE NORTH 00°00'18" EAST, A DISTANCE OF 1481.20 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER (NE ¼); THENCE SOUTH 89°53'55" EAST, A DISTANCE OF 1765.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,368.83 ACRES, MORE OR LESS.

TOGETHER WITH

SECTION 4, TOWNSHIP 43 SOUTH, RANGE 40 EAST; AND ALL THAT PART OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 40 EAST, LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 3, SAID POINT BEING 2632.90 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE RUNNING IN A NORTHEASTERLY DIRECTION A DISTANCE OF 3610.56 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION, 2530.47 FEET EAST OF THE NORTHWEST CORNER THEREOF.

EXCEPTING THEREFROM THAT PORTION OF SAID SECTION 4 CONVEYED TO THE CITY OF WEST PALM BEACH AS DESCRIBED IN THE DEED FROM INDIAN TRAIL RANCH, INC., DATED JULY 26, 1956, AND RECORDED SEPTEMBER 25, 1956, IN DEED BOOK 1156, PAGE 58, WHICH DEED WAS CORRECTED IN PART BY THE CORRECTIVE QUIT CLAIM DEED DATED OCTOBER 7, 1963, AND FILED OCTOBER 8, 1963, IN OFFICIAL RECORDS BOOK 924, PAGE 965.

ALSO EXCEPTING THEREFROM THE NORTH 100 FEET OF SECTION 4 AND THE NORTH 100 FEET OF THAT PORTION OF SECTION 3 LYING WEST OF THE RIGHT-OF-WAY LINE OF THE M CANAL, ALL IN TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY.

CONTAINING 563.11 ACRES, MORE OR LESS.

05-24-05  
OK (S)

May 29, 2015

## LAND USE PLAN AMENDMENT APPLICATION

### UTILITY STATEMENT

The 4,930 Acre Indian Trail Groves Property is Located West of Seminole Pratt Whitney Road and South of Northlake Blvd., Palm Beach County, Florida.

### SITE DATA

The subject property is located west of Seminole Pratt Whitney Road between Hamlin Road to the north and 59<sup>th</sup> Lane N to the south in Palm Beach County, Florida and contains approximately 4,930 acres. The Property Control Numbers for the subject property are:

00-39-42-25-00-000-1000	00-40-42-17-00-000-7000	00-40-42-18-00-000-7000
00-40-42-19-00-000-9000	00-40-42-20-00-000-9000	00-40-42-21-00-000-9000
00-40-42-22-00-000-1010	00-40-42-27-00-000-9000	00-40-42-30-00-000-9000
00-40-42-31-00-000-9000	00-40-42-34-00-000-1010	00-40-43-03-00-000-3020
00-40-43-04-00-000-9010		

The property is currently designated Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Production (AP) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Rural Residential, 1 unit per 1.25 acres (RR-1.25).

### SITE UTILITIES

The subject property is located in unincorporated Palm Beach County. Palm Beach County Water Utilities will be the provider of potable water service and sanitary sewer service to the site. Exiting along Seminole Pratt Whitney Road is a 30" water main and a 24" force main. These existing mains will provide service for the subject property.

GLH Engineering, LLC



Richard E. Elsner, P.E.

President

Florida Registration #47568

1600 Sawgrass Corporate Parkway • Suite 400 • Sunrise, FL 33323  
TEL (954) 753-1730 • FAX (954) 753-4509

## LAND USE PLAN AMENDMENT APPLICATION STATEMENT OF LEGAL POSITIVE OUTFALL

The 4,930 Acre Indian Trail Groves Property is Located West of Seminole Pratt Whitney Road and South of Northlake Blvd., Palm Beach County, Florida.

### SITE DATA

The subject property is located west of Seminole Pratt Whitney Road between Hamlin Road to the north and 59<sup>th</sup> Lane N to the south in Palm Beach County, Florida and contains approximately 4,930 acres. The Property Control Numbers for the subject property are:

00-39-42-25-00-000-1000	00-40-42-17-00-000-7000	00-40-42-18-00-000-7000
00-40-42-19-00-000-9000	00-40-42-20-00-000-9000	00-40-42-21-00-000-9000
00-40-42-22-00-000-1010	00-40-42-27-00-000-9000	00-40-42-30-00-000-9000
00-40-42-31-00-000-9000	00-40-42-34-00-000-1010	00-40-43-03-00-000-3020
00-40-43-04-00-000-9010		

The property is currently designated Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Production (AP) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Rural Residential, 1 unit per 1.25 acres (RR-1.25).

### DRAINAGE STATEMENT

The subject property is located within the South Florida Water Management Districts L-8 Basin and is currently permitted under Permit No. 50-02564-S. Legal positive outfall will be provided by the L-8 Canal which is adjacent to the west side of the subject property. The property will be designed to meet the following criteria:

1. All discharge to the L-8 Canal will be through a control structure.
2. Minimum finished floor elevation for any structure will be set above the 100-year, 3-day, zero discharge storm event.
3. A continuous berm will be constructed around the project with a top elevation set at or above the 25-year, 3-day storm event.

GLH Engineering, LLC



8/19/15

Richard E. Elsner, P.E.

President

Florida Registration #47568

1600 Sawgrass Corporate Parkway • Suite 400 • Sunrise, FL 33323  
TEL (954) 753-1730 • FAX (954) 753-4509



**Fire Rescue**

Chief Jeffrey P. Collins  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Mayor  
Mary Lou Berger, Vice Mayor  
Hal R. Valeche  
Paulette Burdick  
Steven L. Abrams  
Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Robert Weisman

June 12, 2015

Chris Barry, AICP CUD, Senior Planner  
Urban Design Kilday  
610 Clematis Street  
West Palm Beach, FL 33401

Dear Mr. Barry:

Fire Rescue has received your letter requesting information in response to the Indian Trails Grove Development. Currently, Palm Beach County Fire Rescue serves this area from station #22 located at 5060 Seminole Pratt Whitney Road. Due to the distance from this facility to the property, station #22 is not capable of serving this new development. In order to serve this property an additional facility, or possibly two are needed. Fire Rescue is in favor of clustering, multiple access roads into the communities, road connect ability and potable water.

At this time Fire Rescue is unable to determine the actual number of fire rescue facilities needed or the location of these facilities without more development details such as detailed road networks, water systems, development layout and potable water supply system. Once we receive more detailed information on this development we will send additional comments.

Sincerely,

A handwritten signature in blue ink that reads "Jill Gregory".

Jill Gregory, Senior Planner  
Palm Beach County Fire-Rescue



**INDIAN TRAILS**  
**CPA ENVIRONMENTAL ASSESSMENT**  
**Sections 03, 04, 17, 18, 19, 20, 21, 22, 27, 34/Township 42S/Range 40E**  
**May 27, 2015**

**INTRODUCTION**

The subject parcel is located at the northwest corner of the intersection of Orange Blvd. and 180<sup>th</sup> Ave. N, Palm Beach County, Florida (Sections 03, 04, 17, 18, 19, 20, 21, 22, 27, 34; Township 42S; Range 40E). The assessment area is approximately 4,929.58 acres in size. See Exhibit A, Location Map.

**METHODOLOGY**

Wantman Group Inc. environmental staff visited the subject site on March 4, 2015. An aerial photograph was used to pinpoint specific points of interest. An on-site review of the subject site's conditions was performed by walking and driving transects through the site while noting plant species, ecosystems (wetlands and uplands), and other potential environmental factors.

**SITE CONDITIONS**

The subject property is an active agricultural operation producing a variety of crops (bell peppers, cabbage, etc.). The majority of the site has been altered for farming practices including rows and furrows and a network of drainage ditches. Little to no vegetation besides the specific crop is present within these areas. In addition, there are numerous wetland areas that have been left in place throughout the property. These herbaceous wetlands are disturbed by exotic and nuisance species. There is one area in the southernmost parcel that has been impacted as a shallow borrow pit. Finally, there is an operations center located in the southeast corner of the site where a barn and offices are located and farm equipment is stored.

The site is bound to the east by the Acreage single family residential neighborhood, to the south by various uses including farms and low density single family residences, to the west and north by JW Corbett Wildlife Management Area. See Exhibit B, Aerial Map and Exhibit F, Site Photos.

**COASTAL RESOURCES**

The subject property is not located within an area that contains coastal resources.

## **HURRICANE VULNERABILITY ZONE OR COASTAL HIGH HAZARD AREA**

The subject property is not located in a Hurricane Vulnerability Zone or a Coastal High Hazard Zone.

## **VEGETATION INVENTORY**

The property is primarily in agricultural production and therefore natural vegetation is actively managed. Vegetation other than the crops is limited to areas along the drainage ditches, windbreaks, and the isolated wetland areas.

<b><u>Common Name</u></b>	<b><u>Scientific Name</u></b>	<b><u>Designation</u></b>
Live Oak	<i>Quercus virginiana</i>	Native
Strangler Fig	<i>Ficus aurea</i>	Native
Slash Pine	<i>Pinus elliottii</i>	Native
Cabbage Palm	<i>Sabal palmetto</i>	Native
Saw Palmetto	<i>Serenoa repens</i>	Native
Maidencane	<i>Panicum hemitomon</i>	Native
Arrowhead	<i>Sagittaria lancifolia</i>	Native
Pickernelweed	<i>Pontederia cordata</i>	Native
Cattail	<i>Typha latifolia</i>	Native
Broomsedge	<i>Andropogon virginiana</i>	Native
Carolina Willow	<i>Salix caroliniana</i>	Native
Fennel	<i>Eupatorium capillifolium</i>	Non-native
Ragweed	<i>Ambrosia artemisiifolia</i>	Non-native
Elephant Grass	<i>Pennisetum purpureum</i>	Non-native
Primrose Willow	<i>Ludwigia peruviana</i>	Non-native
Sedge	<i>Cyperus spp.</i>	Non-native
Water Lettuce	<i>Pistia stratiotes</i>	Non-native
Bahia Grass	<i>Paspalum notatum</i>	Non-native
Australian Pine	<i>Casuarina equisetifolia</i>	Non-native
Brazilian Pepper	<i>Schinus terebinthifolius</i>	Non-native

## **SOILS**

The following are the soils and their descriptions found throughout the project site according to the Soil Survey of Palm Beach County published by the US Department of Agriculture Soil Conservation Service (1979). See Exhibit C, Soil Survey Map.

### **05 – Arents – Urban Land Complex:**

This complex consists of nearly level, somewhat poorly drained, sandy soils and Urban land

overlying organic soils. The areas were formerly organic marshes and swamps that were filled for urban use.

#### 10 – Boca Fine Sand:

This is a nearly level, poorly drained soil. The water table is within 10 inches of the surface for 2 to 4 months and lower in the driest months. Natural vegetation is slash pine, cabbage palm, saw palmetto, southern bayberry, inkberry, and a wide variety of native grasses.

#### 15 - Floridana Fine Sand:

This is a nearly level, very poorly drained soil that is on broad, low flats and in depressions. Under natural conditions, the water table is within 10 inches of the surface for 6 months during the year or more during most years. Depressions are covered by water most of the year. Natural vegetation is cypress, willow, bay, southern bayberry, St. John's Wort, maidencane, ferns, scattered sawgrass, pickerelweed, sedges, and water tolerant grasses.

#### 16 – Hallandale Sand:

This is a nearly level, poorly drained, sandy soil on broad low flats between the Everglades and the coastal ridge. The water table is within 10 inches of the surface for 4 to 6 months during most years and within 10 to 30 inches the rest of the time. Natural vegetation is slash pine, saw palmetto, cabbage palm, inkberry, scattered cypress, southern bayberry, pineland three awn, and a wide variety of other grasses.

#### 17 – Holopaw Fine Sand:

This is a nearly level, poorly drained soil found on broad, low lying flats and in depressions. The water table is within 10 inches of the surface for 2 to 6 months during most years. Depressions are covered by water for 6 months or more in most years. Natural vegetation is saw palmetto, slash pine, cypress, cabbage palm, inkberry, southern bayberry, sand cordgrass, broomsedge bluestem, blue maidencane, pineland three awn, and other grasses.

#### 24 – Okeelanta Muck:

This is a nearly level, very poorly drained, organic soil that has sandy mineral material within a depth of 40 inches in large, freshwater marshes and small, isolated depressions. The soil is covered by water, or the water table is within 10 inches of the surface for 6 to 12 months in most years. Natural vegetation is sawgrass, ferns, fireflag, maidencane, pickerelweed, and scattered areas of willow, elderberry, southern bayberry, cypress, and custard apple.

#### 25 – Oldsmar Sand:

This is a nearly level, poorly drained soil located in broad, freshwater marshes. Under natural conditions, the water table is within 10 inches of the surface for 1 to

3 months during most years. It is within 10 to 40 inches for 6 months or more in most years and recedes to below 40 inches in extended dry periods. Natural vegetation is saw palmetto, slash pine, cabbage palm, inkberry, southern berry, pineland three-awn, blue maidencane, fetterbush, broomsedge, bluestem, and a variety of other grasses.

#### 29 – Pineda Sand:

This is a nearly level, poorly drained, sandy soil on broad flatwoods and grassy sloughs. Under natural conditions, the water table is within 10 inches of the surface for 1 to 6 months in most years and within 10 to 30 inches most of the remainder of each year, except during extended dry periods. Natural vegetation is slash pine, cabbage palmetto, scattered cypress, and southern bayberry, St. John's wort, little blue maidencane, pineland three awn, chloris, chalky bluestem, sand cordgrass, and numerous other grasses.

#### 30 – Pinellas Fine Sand:

This is a nearly level, poorly drained soil in nearly level areas that border sloughs and depressions. Under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and within 10 to 30 inches for 2 to 6 months in most years. Natural vegetation is slash pine, cabbage palm, saw palmetto, inkberry, pineland three awn, and many other grasses.

#### 31 – Pits:

Pits consist of excavations from which soil and geologic material have been removed for use in road construction or for foundation purposes.

#### 36 – Riviera Sand:

This is a nearly level, poorly drained soil in broad, low areas. Under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months in most years and within 10 to 30 inches for most of the remaining year, except during extreme dry periods. Natural vegetation is saw palmetto, slash pine, pineland three awn, inkberry, blue maidencane, toothachegrass, chalky bluestem, scattered cabbage palm, and cypress trees.

#### 37 – Riviera Sand, Depressional:

This is a nearly level, poorly drained soil found in shallow, well defined depressions. This soil is covered with up to 2 feet of water for more than 6 months each year. Natural vegetation is cypress, needlegrass, St. John's wort, corkweed, melaleuca, pickerelweed, sand cordgrass, maidencane, and water tolerant plants.

#### 42 – Tequesta Muck:

This is a nearly level, very poorly drained soil that has a thin organic layer on broad, low flats and in marshes and depressions. The water table is aboveground for 4

to 6 months in most years and within 10 inches of the surface for 6 to 12 months during most years. Natural vegetation is needlegrass, pickerelweed, maidencane, ferns, southern bayberry, and scattered cypress trees.

#### 49 – Wabasso Fine Sand:

This is a nearly level, poorly drained, sandy soil. The water table is within 10 inches of the surface for 1 to 4 months during most years and between 10 and 40 inches most of the remainder of each year. Natural vegetation is slash pine, cabbage palm, saw palmetto, southern bayberry, runner oak, and pineland three awn.

### **SIGNIFICANT HABITATS/SPECIES**

No significant habitat occurs on the assessed parcel. All wetlands are highly impacted by exotic and nuisance plant species and are isolated by the active farm fields. No state or federal listed plant or animal species were identified within the assessment area during the site inspection.

### **WELLFIELD PROTECTION ZONE**

The subject property is not located within a zone of influence in Palm Beach County. Please see Exhibit D, Wellfield Protection Zone of Influence Map by Palm Beach County Department of Environmental Resources Management.

### **POLLUTION SOURCES**

As an active agricultural facility, potential pollution sources include storage and mixing facilities for fertilizers and herbicides and aboveground storage tanks to operate water pumps. During the site inspection, no obvious discharges were observed around these areas.

### **JOHN D. MACARTHUR/JOHNATHAN DICKINSON OVERLAY**

The subject property is located a distance in excess of 660 feet from the property lines of both the John D. MacArthur and Jonathan Dickinson State Parks.

### **HISTORIC AND ARCHAEOLOGICAL RESOURCES**

See Exhibit E, Resource Data Review Verification Letter.

## **SURFACE WATERS AND WETLANDS**

There 89 highly disturbed and isolated herbaceous marshes scattered throughout the property. The wetlands range in size from 20 acres to 0.18 acres with an average size of 1.3 acres and a cumulative size of 115.58 acres. The wetlands are surrounded by the farm fields and are dependent on the active management of the water table within the drainage ditches and canals on the property. As a result, the water table is at a lower elevation than natural conditions and the wetlands have declined from the lack of hydrology. This has allowed exotic and nuisance plant species to dominate the areas further reducing the functions of the wetlands.

The network of drainage ditches and canals totaling 189.08 acres are considered Other Surface Waters. In addition, there is also a 13.07 acre retention pond located in the northeast corner of the site. These surface waters are devoid of vegetation with the exception of small areas of water lettuce and other floating plants.

Review by South Florida Water Management District (State) and US Army Corps of Engineers (Federal) agencies would be required to verify the boundaries of the regulated wetlands and other surface waters.

## **TRASH AND DEBRIS**

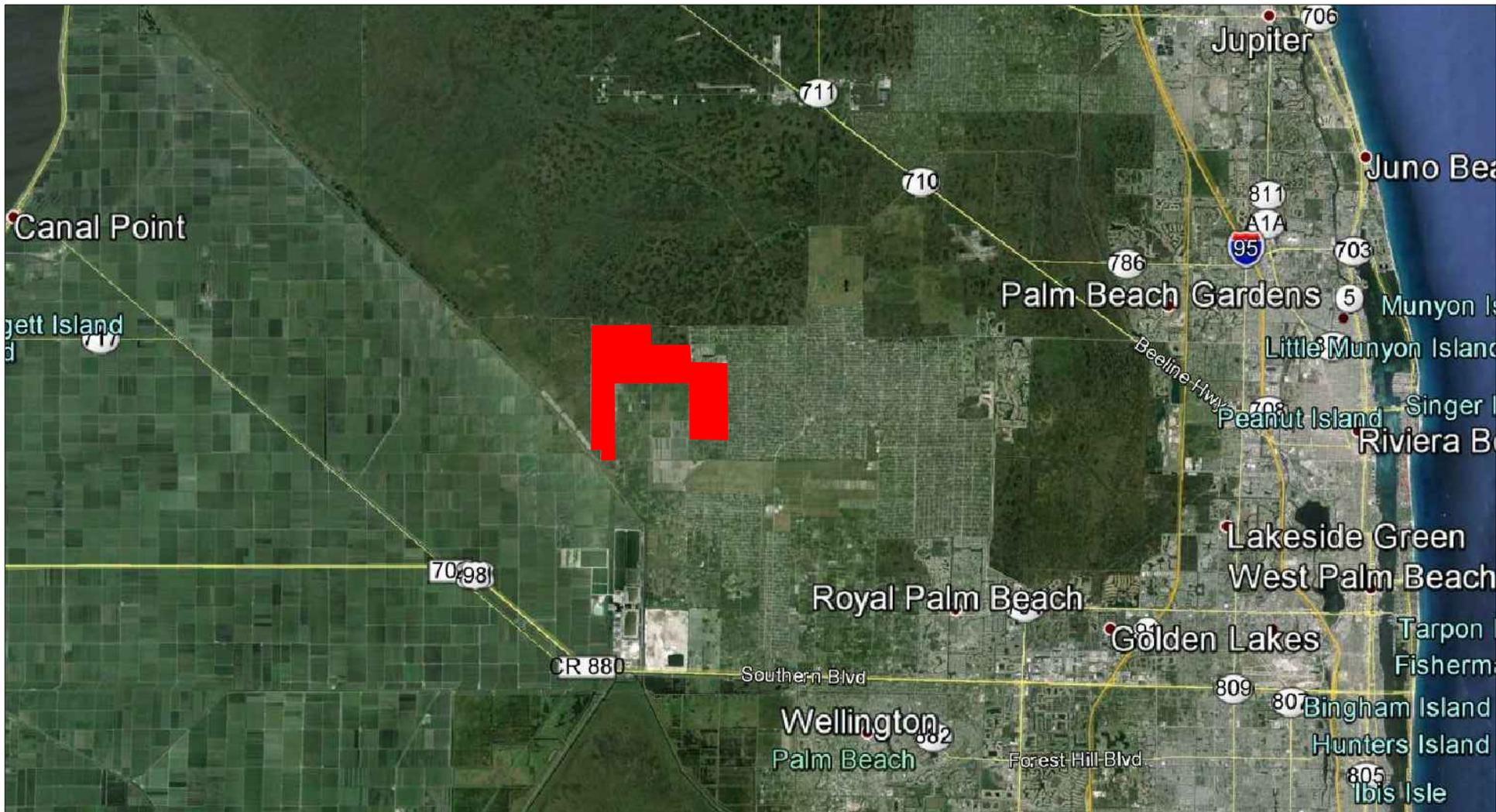
Trash and debris is primarily located within the vicinity of the storage facility in the southeast corner of the site. The farm fields are actively maintained and generally free from trash and debris. Typical debris that was observed included cardboard and wooden boxes used for packing crops and plastic bottles and cups. There were several piles of limestone rocks being stored in an ag field. The intended purpose of the piles was not determined other than storage.

## **CONCLUSION**

Due to the current condition and use of the subject property, there are no significant environmental concerns. There are numerous remnant freshwater wetlands scattered though out the property, however, most of them are low quality and isolated from each other. Review of the site by South Florida Water Management District and US Army Corps of Engineers to verify that the boundaries of regulated wetlands and other surface waters will be required. Permitting with these agencies and compensatory mitigation will be required if impacts to the wetlands are proposed.

The lack of quality habitat makes it improbable for any listed animal or plant species to occur on the site. However due to the proximity of the JW Corbett Wildlife Management Area usage by transient species for foraging or other uses may occur on the subject property.

No upland preserve set-aside would be required according to Palm Beach County Unified Land Development Code Article 14, because there are no quality native upland habitats located on the subject property. There are a few native trees that would require mitigation through the County tree removal approval process.



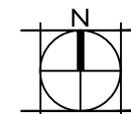
Source: Google Earth

# INDIAN TRAILS GROVE DRI

PREPARED FOR PALM BEACH WEST ASSOCIATES I, LLLP

*Exhibit A*

## LOCATION MAP



SCALE: NTS

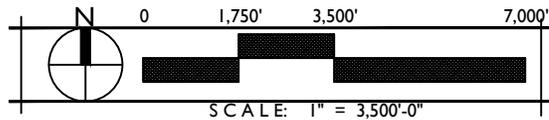
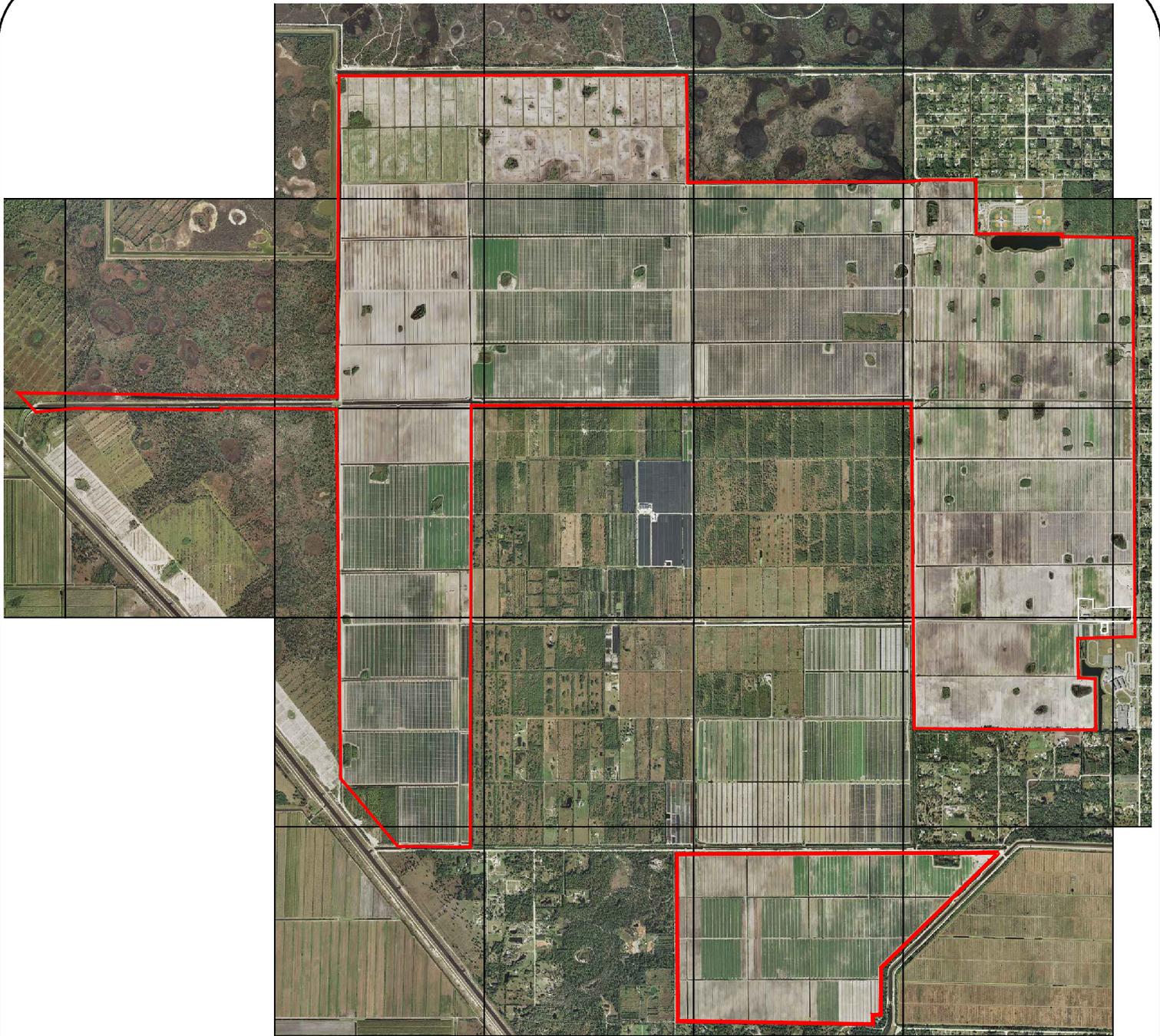


DRAWN BY: AJB

DRAWING #: Location, Soil Survey, FLUCCS Maps.dwg

FILE #: 1685.00

DATE: 02/19/2015



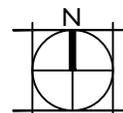
Source: PBC Aerials

# INDIAN TRAILS GROVE DRI

PREPARED FOR PALM BEACH WEST ASSOCIATES I, LLLP

*Exhibit B*

## AERIAL MAP



SCALE: 1" = 3,500'

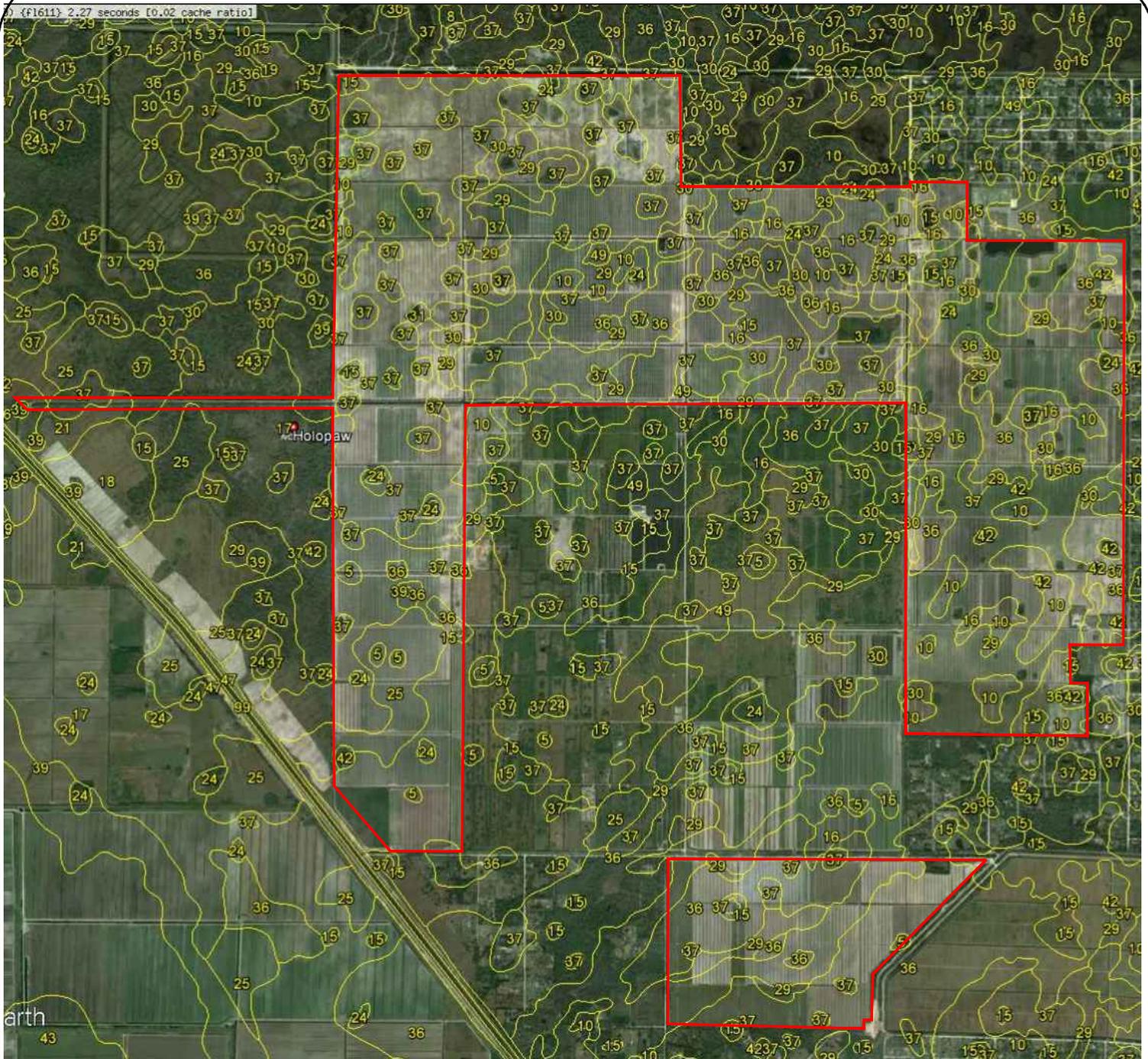


DRAWN BY: **AJB**

DRAWING #: Location, Soil Survey, FLUCCS Maps.dwg

FILE #: **1685.00**

DATE: **02/19/2015**



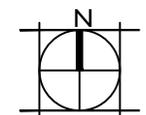
Source: USDA Soil Survey of Palm Beach County, 1978  
 Image, Google Earth, image date 1/18/2014

- |                                  |                         |                                |
|----------------------------------|-------------------------|--------------------------------|
| <b>Soil Series</b>               | <b>Soil Series</b>      | <b>Soil Series</b>             |
| 05 - Arents - Urban land complex | 24 - Okelanta muck      | 36 - Riviera sand              |
| 10 - Boca fine sand              | 25 - Oldsmar sand       | 37 - Riviera sand depressional |
| 15 - Floridana fine sand         | 29 - Pineda sand        | 42 - Tequesta muck             |
| 16 - Hallandale sand             | 30 - Pinellas fine sand | 49 - Wabasso fine sand         |
| 17 - Holopaw fine sand           | 31 - Pits               |                                |

# INDIAN TRAILS GROVE DRI

PREPARED FOR PALM BEACH WEST ASSOCIATES I, LLLP *Exhibit C*

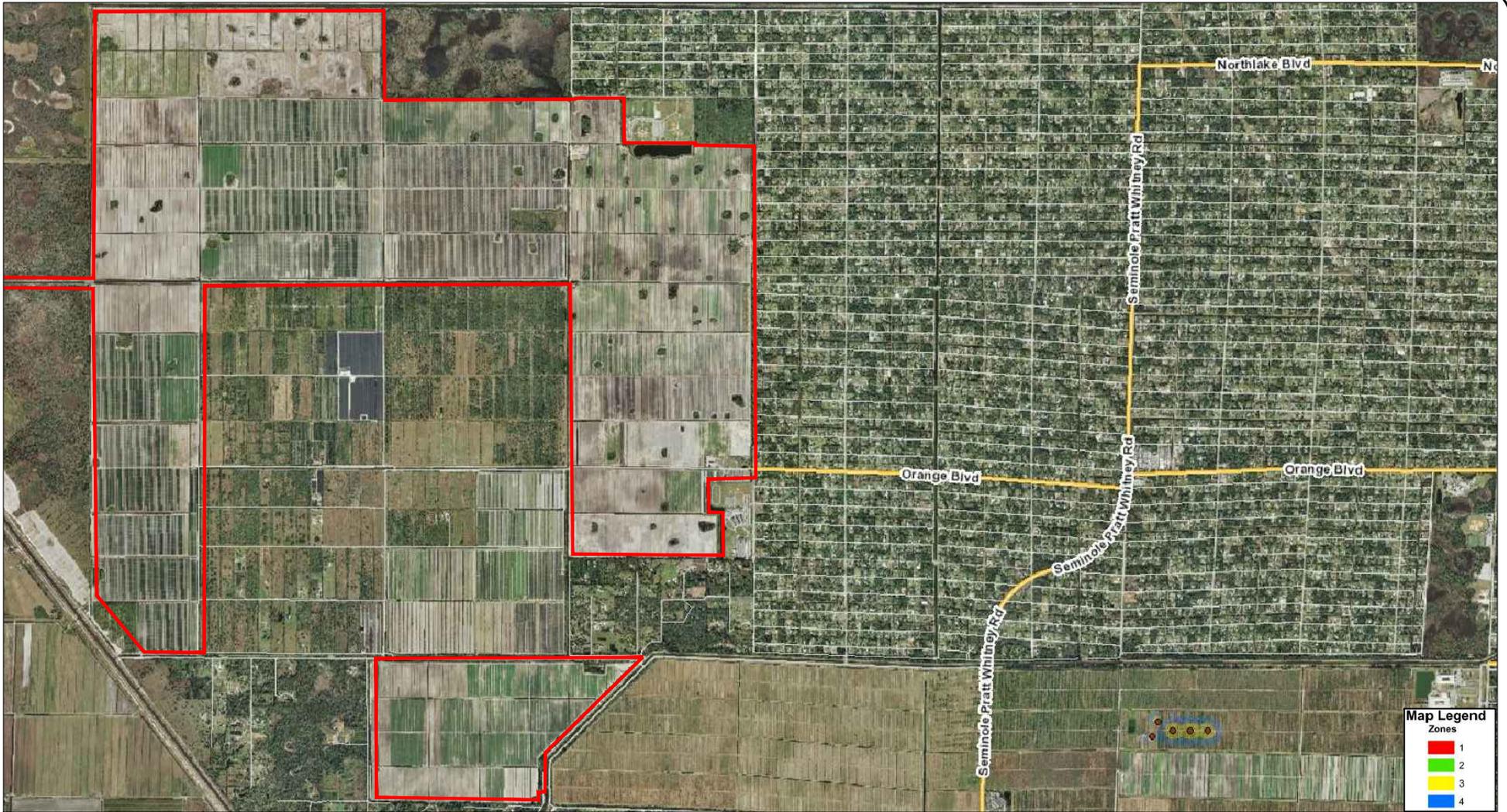
## SOIL SURVEY



SCALE: NTS



<b>DRAWN BY:</b>	<b>AJB</b>
<b>DRAWING #:</b>	Location, Soil Survey, FLUCMS Maps.dwg
<b>FILE #:</b>	1685.00
<b>DATE:</b>	02/19/2015



Source: Palm Beach County GIS

**\*Not located within any Wellfield Protection Zones of Influence**

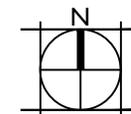
# INDIAN TRAILS GROVE DRI

PREPARED FOR PALM BEACH WEST ASSOCIATES I, LLLP

*Exhibit D*

## WELLFIELD PROTECTION ZONES MAP

400 COLUMBIA DR., SUITE 110 • WEST PALM BEACH, FLORIDA 33409 • P: (561) 478-8501 • F: (561) 478-5012



SCALE: NTS



DRAWN BY:	AJB
DRAWING #:	Location, Soil Survey, FLUCCS Maps.dwg
FILE #:	1685.00
DATE:	02/19/2015

**Exhibit F: Site Photographs**



Typical view of the network of drainage ditches in the farm field.



Typical view of an active farm field with windbreaks.



Typical view of an herbaceous wetland in the farm field.



View of typical canal, ditch, farm field, and wetland



View of typical infrastructure to manage the water levels.



View along north property line with adjacent undeveloped lands



Storage of rocks found in farm field



View of inundated area and disturbed wetland area.



View of canal along northern property line choked with water lettuce.



Typical view of farm fields in various stages of use.



View of borrow pit area in southernmost parcel.

## LAND USE PLAN AMENDMENT APPLICATION FLOOD PLAIN STATEMENT

The 4,930 Acre Indian Trail Groves Site is Located West of Seminole Pratt Whitney Road and South of Northlake Blvd., Palm Beach County, Florida.

### SITE DATA

The subject property is located west of Seminole Pratt Whitney Road between Hamlin Road to the north and 59<sup>th</sup> Lane N to the south in Palm Beach County, Florida and contains approximately 4,930 acres. The Property Control Numbers for the subject property are:

00-39-42-25-00-000-1000	00-40-42-17-00-000-7000
00-40-42-18-00-000-7000	00-40-42-19-00-000-9000
00-40-42-20-00-000-9000	00-40-42-21-00-000-9000
00-40-42-22-00-000-1010	00-40-42-27-00-000-9000
00-40-42-30-00-000-9000	00-40-42-31-00-000-9000
00-40-42-34-00-000-1010	00-40-43-03-00-000-3020
00-40-43-04-00-000-9010	

The property is currently designated Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Production (AP) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Rural Residential, 1 unit per 1.25 acres (RR-1.25).

### FLOOD ZONE

A majority of the property is located in Flood Zone B with a small portion (along the southwest side) is located in Flood Zone AO – Depth 1.0’.

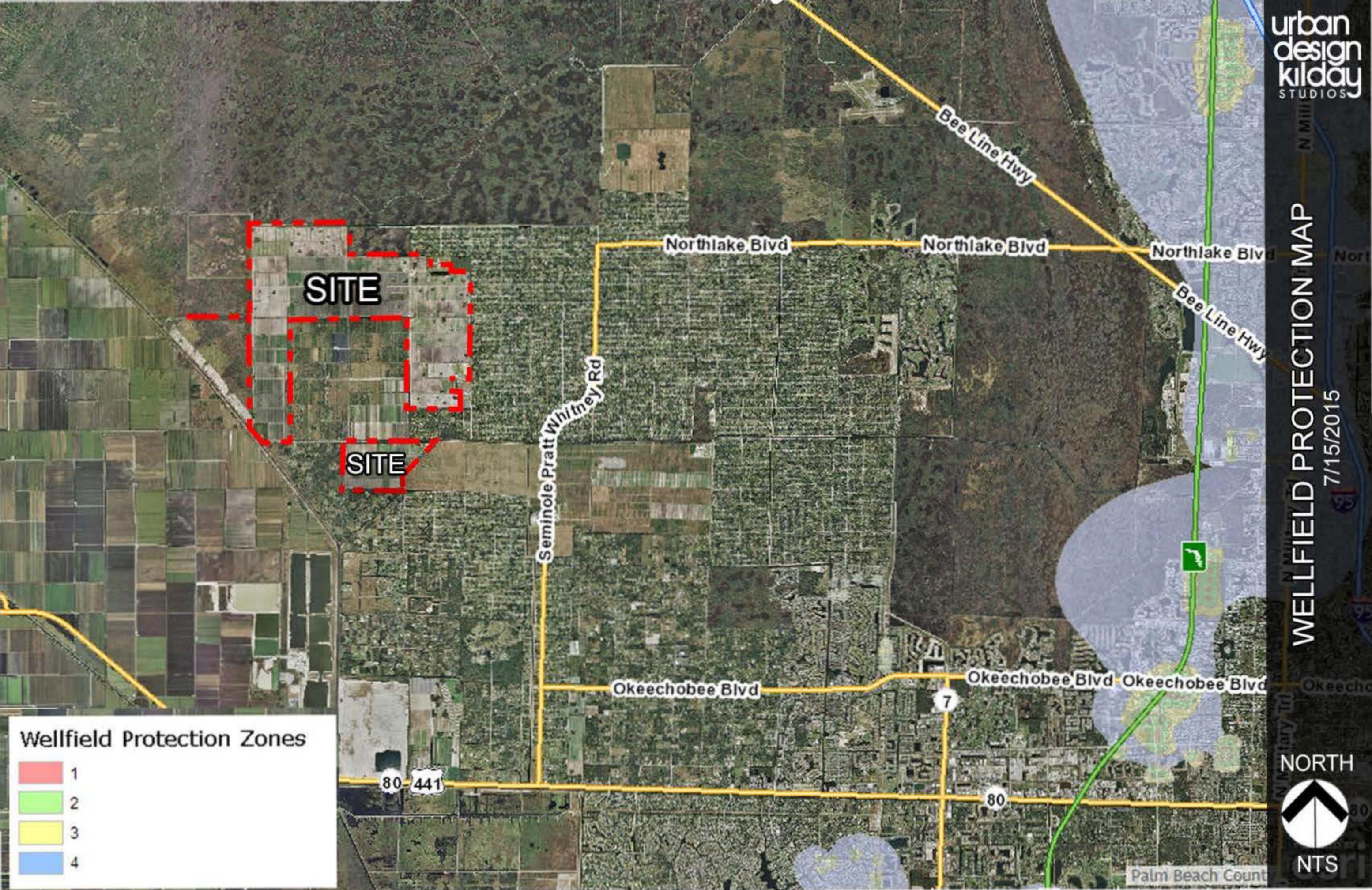
GLH Engineering, LLC



Richard E. Elsner, P.E.

President

Florida Registration #47568



Wellfield Protection Zones

- 1
- 2
- 3
- 4

May 29, 2015

## LAND USE PLAN AMENDMENT APPLICATION WELLFIELD PROTECTION ZONE STATEMENT

The 4,930 Acre Indian Trail Groves Property is Located West of Seminole Pratt Whitney Road and South of Northlake Blvd., Palm Beach County, Florida.

### SITE DATA

The subject property is located west of Seminole Pratt Whitney Road between Hamlin Road to the north and 59<sup>th</sup> Lane N to the south in Palm Beach County, Florida and contains approximately 4,930 acres. The Property Control Numbers for the subject property are:

00-39-42-25-00-000-1000	00-40-42-17-00-000-7000
00-40-42-18-00-000-7000	00-40-42-19-00-000-9000
00-40-42-20-00-000-9000	00-40-42-21-00-000-9000
00-40-42-22-00-000-1010	00-40-42-27-00-000-9000
00-40-42-30-00-000-9000	00-40-42-31-00-000-9000
00-40-42-34-00-000-1010	00-40-43-03-00-000-3020
00-40-43-04-00-000-9010	

The property is currently designated Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Production (AP) on the Palm Beach County Comprehensive Plan. The property owner is requesting a change in the parcel's designation to Rural Residential, 1 unit per 1.25 acres (RR-1.25).

### WELLFIELD PROTECTION ZONE

The above referenced property is not located in a Wellfield Protection Zone.

GLH Engineering, LLC



Richard E. Elsner, P.E.

President

Florida Registration #47568

**A Phase I Cultural Resources Assessment Survey  
of the Indian Trails Parcel,  
Palm Beach County, Florida**

By:

Bradley M. Mueller, M.A.

Conducted under the direction of:

Robert S. Carr, M.S.  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Avenue, Suite 107  
Davie, FL 33314  
(954) 792-9776  
archlgcl@bellsouth.net

For:

Palm Beach West Associates I, LLLP

AHC Technical Report #744  
October 2006  
2006.72

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## Consultant Summary

Between August and October 2006, the Archaeological and Historical Conservancy, Inc., (AHC) conducted a Phase I cultural resource assessment survey for Palm Beach West Associates I, LLLP, of the Indian Trails parcel. The parcel is located in central Palm Beach County approximately 32 kilometers (20 miles) west-northwest of the city of Palm Beach. The ±2006 hectare (4957 acre) parcel was surveyed in order to identify sites of archaeological and/or historical significance.

This assessment was conducted to fulfill historic resource requirements as part of a permitting process in response to Florida's Chapters 267 and 373. It was performed in accordance with Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665), as amended in 1992, and 36 C.F.R., Part 800: Protection of Historic Properties. Fieldwork methods and the reporting procedures conform to specifications set forth in Chapter IA-46 of the Florida Administrative Code.

The Indian Trails survey parcel encompasses portions of Section 25, Township 42S, Range 39E; Sections 19, 20, 21, 22, 27, 30, 31, and 34, Township 42S, Range 40E; and Sections 4 and 5, Township 43S, Range 40E, Tallahassee Principal Meridian. Historically most of the parcel area was mixed pine flatwoods and interspersed ponds. The entire parcel has been cleared, drainage ditches/canals excavated, and planted in citrus trees. Some of the original groves have recently been removed and are being re-established following additional land preparation. Overall landform disturbance due to historical and modern terra-forming activities is assessed as moderate to severe.

This Phase I assessment included an initial background literature and archival review followed by systematic pedestrian survey incorporating subsurface (shovel) testing. Judgmental shovel testing supplemented the systematic shovel testing where appropriate. The literature review included, but was not limited to, a search of the Florida Division of Historic Resources site files and report files. The search determined that no previously recorded sites occur either within the survey parcel or within 1.6 kilometers (1.0 mile) of the parcel. It was also determined that one investigation had previously occurred within a small portion of the survey area and another survey had been conducted in a tract of land adjacent to a portion of the Indian Trails parcel.

Based on a review of maps and aerial photographs and on conditions encountered in the field (vegetation, landform, etc.) the survey parcel was divided into Moderate and Low Probability Zones (MPZ's and LPZ's respectively) with regard to the relative likelihood of containing significant cultural resources. Transect designations were assigned to 27 MPZ's and 15 LPZ's. A total of 384 shovel tests (ST's) were excavated across the parcel. All shovel tests produced negative results for prehistoric or historic period materials or features.

Although some aerial photographs indicated the presence of several structures within the survey parcel, fieldwork determined that all of these structures were modern. No historic period structures or structure ruins were encountered.

In summary: as a result of background and field investigations it is the consultant's opinion that no archaeological or historic sites regarded as potentially eligible for listing on the National Register of Historic Places occur within the Indian Trails parcel. If subsequent development of the parcel reveals archaeological materials the relevant state and/or local agencies should be notified.

## Project Setting

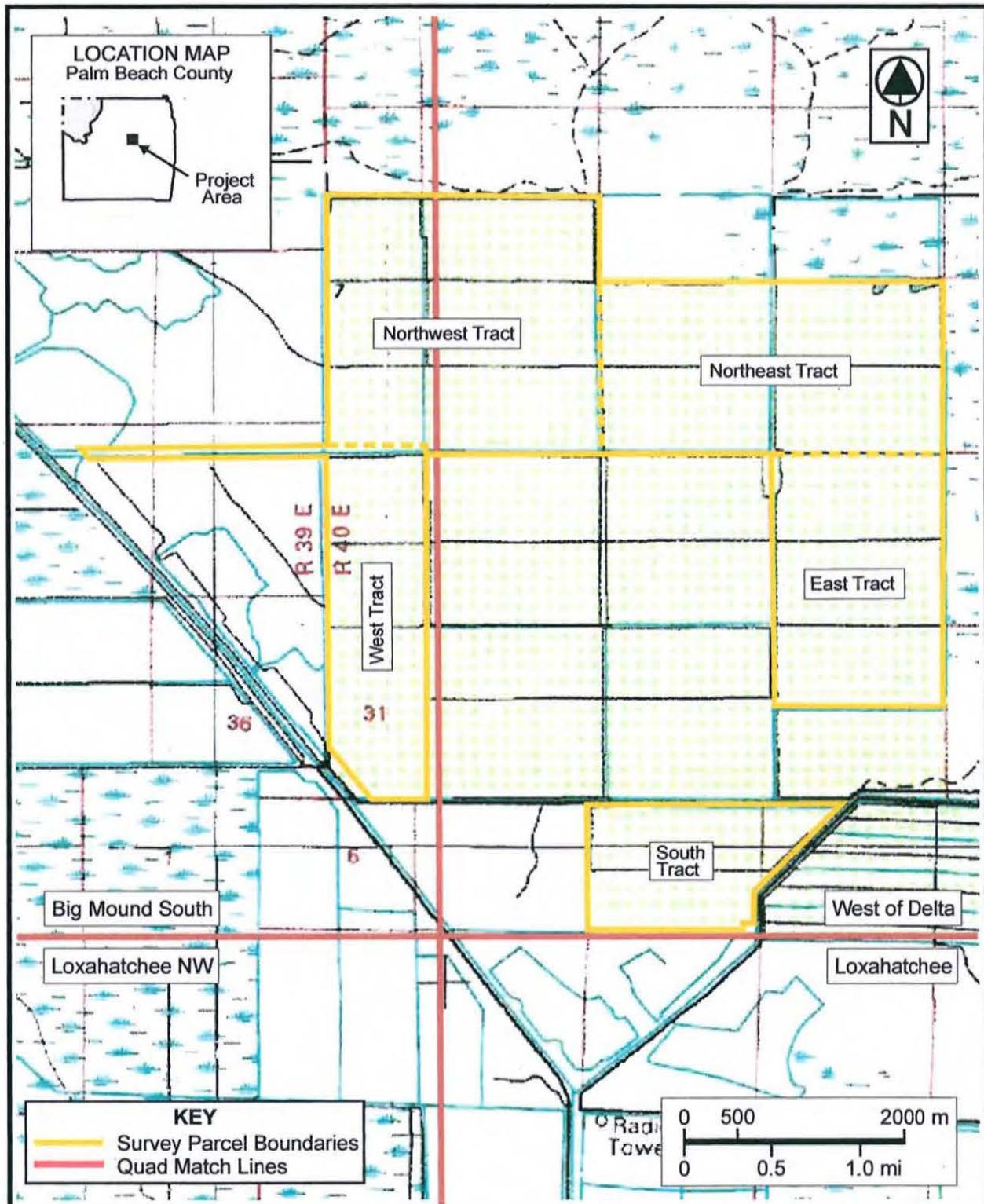
The Indian Trails survey parcel is located in central Palm Beach County approximately 32 kilometers (20 miles) west-northwest of the city of Palm Beach. It encompasses portions of: Section 25, Township 42S, Range 39E; Sections 19, 20, 21, 22, 27, 30, 31, and 34, Township 42S, Range 40E; and, Sections 4 and 5, Township 43S, Range 40E, Tallahassee Principal Meridian. The relevant USGS maps are: Big Mound South, West of Delta, Loxahatchee NW, and Loxahatchee, 7.5 minute series, topographic quadrangles (Figure 1). Measuring approximately 2,006 hectares (4,957 acres) in area the survey parcel consists of two non-contiguous, irregularly shaped tracts. The J.W Corbett Wildlife Management Area borders most of the western and northern survey area (Figure 2). Residential development occurs immediately to the east of the Indian Trails parcel while the remainder of the parcel is bounded by plant nurseries and citrus groves.

The parcel lies in what was historically part of the northeastern corner of the Everglades Trough, an immense drainage feature extending from Lake Okeechobee south to the Shark River/Florida Bay area in Southern Florida. Most of this area was originally mixed pine flatwoods with interspersed ponds. Aerial photographs show that this was the case until at least 1953. Since that time the area has been cleared of native vegetation, drainage ditches and canals excavated, and citrus trees planted. Presently all of the survey area is used for citrus production. At the time of fieldwork, extensive areas of older citrus trees were being uprooted and the groves re-planted (Figures 3, 4, 5, 6, and 7). This resulted in considerable additional ground disturbances from field disking and drainage improvements. Overall landform disturbance due to historical and modern terra-forming activities is assessed as moderate to severe.

The original slash pine flatwood communities would have contained a dense, often head-high understory of saw palmetto which were subject to and maintained by periodic wildfires. Fires started either naturally by lightning strikes or by prehistoric Indians or early settlers to aid hunting or cattle grazing. Among the plants typically found in the slash pine/saw palmetto flatland/prairie environments are: slash pine, saw palmetto, gallberry, shiny lyonia, rusty lyonia, staggerbush, dahoon holly, ground oak, wire grass, broom sedges, shiny blueberry, xyris, and a variety of annual and perennial herbs and wildflowers.

The geology of the central Palm Beach County area is characterized by solutioned limestone caprock lying exposed or overlain to various depths by sands or shelly marls. Most of the surficial sands are hydric, level, poorly drained and are fine-grained wind and water-born deposits from the late Pleistocene/early Holocene. Among the soils present in the area of the subject parcel are: Holopaw and Riviera fine sands, Oldsmar sand, and Arents-Urban land complex fills (NRCS 2006). Gray and tan sands, found extensively in the area, usually overlie relict marine deposits of shelly marl (Figure 3) and marly limestone caprock that are part of Pleistocene formations. At greater depths and more to the north deposits of a calcified "sandstone" or shelly conglomerate are often found. These deposits are part of the Anastasia Formation. Marine marls contain lenses and deposits of clay intermixed with varying percentages of sand. These clays may have been

a source for ceramic manufacture by the Formative period Native Americans. Mantling the Pleistocene sands are windblown deposits of gray sands of varying depths. Other areas contain tan and gray sand surficial zones overlying a dense brown sand spodic horizon (often referred to as "hardpan"). This formation is a zone of organic leaching accumulation. Occasionally, harder "nuggets" or nodules of an iron oxide precipitate will be found in this zone, which is sometimes a basal archaeological zone.



**Figure 1.** USGS map of the Indian Trails Parcel area.

Source(s): USGS1985 - Big Mound South; West of Delta; Loxahatchee NW; and Loxahatchee; at [www.terraserver.microsoft.com](http://www.terraserver.microsoft.com).



**Figure 2.** Photograph of the J.W. Corbett Wildlife Management Area located adjacent to the Northwest Tract. View to the northwest.



**Figure 3.** Photograph of spoil dredged from a drainage canal located between the West and Northwest Tract. The spoil is from a “shell-rich” naturally deposited marine strata.



**Figure 4.** Representative photograph of citrus groves in the South Tract near MPZ-3. View to the southwest.



**Figure 5.** Representative photograph of the citrus groves near the center of the West Tract. View to the south.



**Figure 6.** Representative photograph of a cleared portion of the Northwest tract near MPZ-15. View to the north.



**Figure 7.** Photograph of the LPZ-5 area in the West Tract. View to the east.

## Previous Research

Background research - consisting of a review of archaeological and historical literature, records, and other documents related to the project area - was conducted by the AHC to determine whether any previously identified sites were located within the project parcel or in its general vicinity. This review included a search of the Florida Master Site File (FMSF) in Tallahassee for previously recorded sites and previously conducted cultural resource investigations (Table 1). In addition, books, articles, soil surveys, maps, and aerial photographs were examined.

The background research determined that no previously recorded archaeological sites occur either within the Indian Trails parcel or within 1.6 kilometers (1.0 miles) of the parcel. The nearest recorded site (8PB11369) is located roughly 6.3 kilometers (3.9 miles) east of the current survey area. This prehistoric period archaeological site reportedly consisted of a moderate quantity of faunal bone recovered from two shovel tests. Mammals, reptiles and fish were represented in the faunal assemblage as well as one fragment of mollusk shell (Stokes 2004).

A single cultural resource investigation was determined to have previously occurred within a portion of the Indian Trails parcel. In 2005, the Archaeological and Historical Conservancy, Inc., (AHC) performed a Phase I survey of a ±26.5 hectare (±65.6 acre) parcel of land which fell within the northeastern tract of the current Indian Trails survey area (Longo 2004). Consistent with the findings of the current survey Longo reported that his survey area was "cleared and intensely altered". No sites were found.

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**Table 1. Background Review Summary**

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Previously Recorded Sites:

In Survey Parcel	none
Within 1.6 km (1.0 mi) of Parcel	none

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Previous Investigations:

In Survey Parcel	#11603 <sup>1</sup> (Longo 2005)
Within 1.6 km (1.0 mi) of Parcel	#10210 <sup>1</sup> (Stokes 2004)

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**NOTES:** <sup>1</sup> Florida survey number

The archaeology of the area east of Lake Okeechobee, including Palm Beach and Martin Counties, is not well understood. John M. Goggin was the first to recognize this area as being somewhat unique and defined it as being the East Coast Region of the Okeechobee archaeological sub-area (Goggin n.d.). In his description of the region, Goggin noted that no "local" ceramic forms could be found here. Undoubtedly, this is partly a reference to a lack of unique incised types. In addition, Goggin also lists a number of traits for the region that are usually considered to be more common in northern Florida, such as a large quantity of St. Johns Plain and St. Johns Check-Stamped.

Little archaeological work was conducted in the region until the 1970s. In the early 1970s, John Furey, a graduate student at Florida Atlantic University, conducted an

investigation of several sites in the Boca Raton area. Collectively these sites are known as the Spanish River Complex (Furey 1972). Although the complex was supposed to fall just within the southern border of Goggin's East Coast Region of the Okeechobee sub-area, Furey's ceramic analysis revealed that almost half of the sherd collection consisted of the type Belle Glade Plain. Partly because of this, Furey interpreted the Spanish River Complexes as representing a coastal extension of the interior Belle Glade area. Furey also generalized that all of coastal Martin and Palm Beach counties was influenced mainly from the Lake Okeechobee area. Furey's interpretation was seemingly strengthened by Browning's (1975) work at the Rocky Point 2 Site (8MT33) in northern Martin County. Here, Browning reported a sherd assemblage that consisted of 25% Belle Glade Plain.

Despite this, Milanich and Fairbanks (1980) included the coastal portions of Martin and Palm Beach counties in a "Circum-Glades" area. They defined this area as including all of southeastern Florida and the east coast as far north as Indian River County. The term, "Circum-Glades," was coined earlier by Griffin (1974) who argued that the major focus for settlement and subsistence in southeastern Florida was along the coasts. He interpreted the smaller tree-island sites within the Everglades themselves as small, temporary hunting camps, which were used sporadically by the coastal inhabitants. Apparently, Milanich and Fairbanks considered this interpretation to be appropriate for coastal Palm Beach and Martin counties as well, although they provided little explanation for this argument.

Carr and Beriault (1984) rejected most of the cultural names and boundaries used by Milanich and Fairbanks for southern Florida and reiterated Furey's generalizations on the coastal portions of Martin and Palm Beach Counties. In their analysis, Boca Raton was considered to be the southern boundary of a separate cultural area, which they called "East Okeechobee", and was mainly influenced from the west. Based on the work of Browning at Rocky Point, Carr and Beriault suggested that the northern boundary for the area was probably somewhere around the border of Martin and St. Lucie counties. A western boundary was chosen that would exclude inland sites in Martin and Palm Beach Counties like Big Mound City (8PB48), the Boynton Mounds (8PB100), Barley Barber I (8MT19), and Belle Glade (8PB41), as these sites seem to be complexes and earthworks associated with the Lake Okeechobee culture area.

In his synthesis of Everglades's archaeology, Griffin (1988) provided a detailed description of his thoughts concerning southern Florida prehistoric cultural boundaries. He supported the boundaries that Carr and Beriault used for their East Okeechobee Area, but he did not accept a name for the area. Instead, Griffin referred to the area as being "unclassified," probably due to the lack of archaeological work conducted there. He also refers to the area as being transitional between three different areas, presumably the Belle Glade Area to the west, the Everglades Area to the south and another cultural area to the north. Because of this, he suggested that it might be more appropriate to consider this area to be a district of one of its neighboring areas.

In doctoral work conducted under the direction of Milanich, McGoun (1989) renamed the Circum-Glades area "Southeast Florida." Overall, he kept Milanich's boundaries for this

area intact, arguing that there were no major differences within the area from Cape Canaveral to Cape Sable. He also stressed the predominance of sand-tempered plain pottery within this area.

Extensive archaeological and historical research was conducted in the project area during the 1990s as a result of several cultural resource management projects. Three of these reports focused on the history of Indiantown Road (Lewis *et al.* 1991; Gravett 1993; Carr and Elgart-Berry 2004). Other assessments focused on Riverbend Park and several large parcels in the project vicinity. Many prehistoric and historic sites have been documented and investigated as a result, although few of them have been intensively investigated.

The first major cultural resource project in the area was conducted by the Department of Anthropology at Florida Atlantic University in the fall and winter of 1991 (Kennedy *et al.* 1991). This project included a Phase I survey of a proposed realignment of Indiantown Road (SR706) and a subsequent Phase II investigation of two sites identified during the first survey. Phase I work resulted in the identification of one prehistoric site, the SFWMD midden (8PB6862), and one historic site, the Gildan right-of-way and bridge/causeway (8PB6863). The SFWMD midden is a small campsite located just north of Indiantown Road on the western bank of the Loxahatchee River. This site probably dates to the East Okeechobee I period (750 B.C - ca. A.D. 800).

The Gildan right-of-way and bridge/causeway was located about half a mile to the east of 8PB6862 at the Eastern Slough of the Loxahatchee River. This site was the main focus of the Phase II investigation. It was determined that this site consisted of two components, a causeway and bridge associated with a late nineteenth century road called the Wire Trail, and the remains of a twentieth century bridge from an earlier alignment of Indiantown Road. The routes of all trails and roads from the 19<sup>th</sup> century to the present were traced through present-day Riverbend park. Although their study did not focus on the project parcel, the location of the Wire Trail was identified in the study area.

The Riverbend Park site (8PB7511) was identified and recorded by students from Florida Atlantic University in the winter of 1991. As indicated by its name, the site is located in Riverbend Park, which is south of Indiantown Road near where it intersects Taylor Road. At the time of its identification, the site was given the name, Riverbend Park #1 Earthworks. Certain linear features associated with the site, were noted that were suggestive of an earthwork or earthworks. Thus, it was thought at that time that the site may have been part of the Loxahatchee Earthworks (8PB49), which was recorded by Carr based on his review of aerial photographs (Carr 1974).

In the fall and winter of 1993, additional cultural resource work was conducted by Florida Atlantic University in the area for Environmental Management and Engineering, under contract with the Department of Public Works - Roadway Production of Palm Beach County, Florida (Kennedy *et al.* 1994). The project was in conjunction with the SR706 (Indiantown Road) Realignment Project and survey areas covered tracts proposed for Restoration/Mitigation. These tracts included the Eastern Loxahatchee Slough located to the north of SR706 about a mile east of the present survey area, the Loxahatchee River Corridor

within Riverbend Park, and the Shunk Tract located just to the east of the Loxahatchee River and just to the north of SR706.

During Phase I and II assessments on the Shunk tract, two sites were identified and tested. Site 8PB7944, contains both a prehistoric midden and a historic Seminole component. During the Phase I survey of the Shunk Tract, artifacts were recovered in an area along the riverbank during a metal detecting sweep and the excavation of two shovel tests. The boundaries of the site were estimated as stretching from the southern property line northward about 650 feet. The southern part of the site is the widest, as artifacts were recovered there about 150 feet to the east of the river, whereas artifacts were only recovered about 100 feet from the river near the northern limit of the site. Prehistoric artifacts recovered included prehistoric sand-tempered plain, St. Johns Plain and St. Johns Check Stamped potsherds. Historic artifacts recovered included a Seminole Kaskakia copper point as well as copper debitage. Other historic artifacts included musket balls and buckshot.

Phase II work on the site included a more intensive metal detecting sweep and the excavation of several shovel tests and two one meter square units. It was determined that the original boundaries postulated for the site were fairly accurate. The one-meter square units indicated that portions of the site remain relatively undisturbed below a depth of 15 to 20 centimeters. The prehistoric portion of the site was interpreted as "a small village or relatively large midden site occupied over a long period of time" (Kennedy *et al.* 1991). The historic component was interpreted as a small Seminole campsite.

The second Shunk site, 8PB7945, is located along the Shunk tract's northern and northeastern borders. During Phase I work on this site only historic artifacts were recovered. Many of these were of military issue and probably fall within the time periods of the Second and Third Seminole Wars.

The Loxahatchee Historical Society prepared a recreational trail feasibility study of Old Jupiter-Indiantown Road in December, 1993 (Gravett 1993). Included in their report is an extensive historical study of the road. Through archival research, they discovered that the original Jupiter-Indiantown Road, which runs through the project parcel, was commissioned and cut in 1899. In 1911, a resolution was passed to grade the road, and to re-route it so that it intersected with the road from Stuart in the Indiantown area.

The most extensive cultural resource management project near the project area completed to date was conducted by the Archaeological and Historical Conservancy (AHC) during the summer, fall and winter of 1994 (Carr *et al.* 1995). This assessment consisted of a Phase I survey of Riverbend Park, including the adjacent Reese Ranch and Groves and the Gildan Tract along the Eastern Slough of the Loxahatchee. All of this property lies to the east of the project area, on the south side of Indiantown Road. A total of 25 prehistoric sites was assessed during the Riverbend survey. The oldest site is a pre-ceramic Archaic site which may date to 1000 B.C. Most sites seem to date to East Okeechobee I times (750 B.C. - A.D. 800), although a few probably date to the East Okeechobee II period (A.D. 800 - 1000). A total of six sites with apparent Seminole components was also recorded during this survey as well as five sites with U.S. military components and several twentieth-century structures. In

addition, it was also concluded during the Riverbend survey that portions of both Powell's and Jessup's Battles of 1838 took place within the boundaries of Riverbend Park.

A Phase II investigation of a late nineteenth century Seminole camp also was completed within Riverbend Park. This project was conducted by the Archaeological and Historical Conservancy during the winter of 1994 (Carr *et al.* 1995). Artifacts recovered from this site confirmed that Seminole activity in and around the current survey area did not end with the conclusion of the Second Seminole War (1842), but extended to the late 19<sup>th</sup> century.

In 1996, the Archaeological and Historical Conservancy conducted an extensive archaeological monitoring project within the new right-of-way for Indiantown Road, between Jupiter Farms Road and the Florida Turnpike (Pepe and Carr 1996b). Eleven archaeological/historical sites were investigated. Of these, seven sites were recorded as a result of the survey. Two of these newly recorded sites are prehistoric, two have Seminole War components, and four contain the remains of 20th century pioneer structures.

A phase I survey of the Berg property, located directly east of the current project area between Jupiter Farms and Taylor Roads, was conducted in 1996 by the Archaeological and Historical Conservancy (Pepe 1996). That survey resulted in the documentation of two archaeological sites within the property: 8PB7979 and 8PB8210. The former site was identified as a component of Battle of Loxahatchee, and the latter was a 20th century pioneer homesite. This second site was not regarded as significant, however, site 8PB7979 was identified as being significant and potentially eligible for listing on the National Register of Historic Places.

Prehistoric artifacts were recovered from a total of six sites during the 1995-1997 Indiantown Road Realignment project. Two of these sites, the Loxahatchee River Corridor Site (8PB7946) and Riverbend Park #1 (8PB7973), were recorded during previous studies. The East Slough Site (8PB8205), Riverbend Park #16 (8PB8213), Riverbend Park #17 (8PB9243) and Riverbend Park #18 (8PB9244) were recorded as a result of this project's archaeological investigations.

In 2000, Archaeological Consultants, Inc., conducted a cultural resource assessment survey of the Renaissance Village property, which is located in Section 35 of Township 40 South, Range 41 East (Deming and Hardman 2000) on the north side of Indiantown Road (State Road 706). Old Indiantown Road traverses through the middle of the parcel. Their survey consisted of 37 systematic and judgmental shovel tests. They found no historic or prehistoric archaeological sites within the Renaissance Village project parcel. A subsequent archaeological assessment by AHC of the old Indiantown Road segment resulted in two historic archaeological sites being located on the parcel (Carr and Berry 2004).

Since 2004, AHC has completed over twenty-five investigations throughout Palm Beach County including five Phase I surveys within 8.0 kilometers (5.0 miles) of the Indian Trails parcel (Carr and Mankowski 2004; Mankowski 2004; Longo 2005; Longo and Beriault 2005; Mankowski and Longo 2005). These five surveys covered a total of 3,577

hectares (8,838 acres). One site was reported - a small prehistoric habitation found on a hardwood and palm hammock island. The site was characterized by the presence of faunal bone and shell tool fragments (Mankowski and Longo 2005). As previously noted one AHC survey (Longo 2005) fell within the current survey area.

## Cultural Summary

John M. Goggin was the first to recognize that Palm Beach County was part of a cultural area not well understood and without clearly defined boundaries. Goggin defined the region as the East Coast Region of the Okeechobee archaeological sub-area (Goggin n.d.). In his description of the region, Goggin noted that no "local" ceramic forms could be found here. Undoubtedly, this is a reference to a paucity of distinctive incised and decorated ceramic types. In addition, Goggin lists a number of traits for the region, which are usually considered to be more common in northern sites. Among these is the presence of "Biscayne Plain" and "Biscayne Check Stamped" pottery, which are now called St. Johns Plain and St. Johns Check-Stamped

Frequent contact and trade between the St. Johns, Indian River and East Okeechobee culture areas is documented in the archaeological record. The presence of St. Johns pottery, type X *Busycon* picks, *Busycon* adzes and exotic northern trade goods such as greenstone celts and plummet in these areas demonstrate communication between them (Rouse, 1951; Goggin, 1952; DuBois, 1957; Kennedy *et al.*, 1993; Wheeler, 1993).

Ethnographic evidence for contact and trade between various regions, at least in historic times, can be found in *Jonathan Dickinson's Journal* (Dickinson, 1985). On his journey up the coast to St. Augustine, Dickinson and his party stopped at Jece, which was almost certainly an Ais village. When the leader of this village learned that the people of Jobe, a Jeaga town, had a good deal of European goods which had been salvaged from Dickinson's wrecked ship, he went to Jobe himself and returned with most of it. This illustrates that the Jeaga, or at least the Jeaga town of Jobe, was in some kind of vassal-type relationship with the Ais, or at least with the town of Jece.

Thus, the main influence on the East Okeechobee area during the seventeenth century seems to have come from those cultural areas to the north, such as the Indian River and St. Johns Areas, rather than from the Lake Okeechobee Area, as was previously thought. Contact and trade with the west certainly did occur, though. Influence from and trade with the Lake Okeechobee Area is evident in the East Okeechobee Area from the presence of Belle Glade Plain pottery. Several earthworks reminiscent of the Lake Okeechobee Area can also be found in the East Okeechobee Area. The Riviera Complex, for instance, was reported to have had sand earthworks (Goggin n.d.; Small, 1928).

St. Johns pottery can also be found in the Lake Okeechobee, Caloosahatchee and Ten Thousand Island Areas. It is possible that this pottery, or at least the idea of making this type of pottery, made its way to the southwest coast from East Okeechobean contact with the Lake Okeechobee Area. The same can be said for the *Busycon* adzes which have been found in post-archaic contexts in the Belle Glade and Ten Thousand Island Areas (Wheeler, 1993).

The strong influence of the Lake Okeechobee Area shown in the Boca Raton sites requires a more sophisticated political explanation, but a reasonable explanation can be given if patterns throughout southern Florida are examined. First, the Lake Okeechobee Area itself must be examined. This area is distinguished in part by remarkable earthworks. Complexes

and earthwork sites like Fort Center, Big Mound City (8PB48), Big Gopher (8PB6292), Tony's Mound (8HN3) and others all provide evidence that demonstrates that the Lake Okeechobee peoples were, at least for a time, populous, successful, organized and stratified enough to engage in such major undertakings. It is entirely possible that the Lake Okeechobee Area was dominated by a chiefdom or proto-chiefdom long before their neighbors, the Calusa, were dominated by one. It is also entirely possible that the Lake Okeechobee proto-chiefdom established permanent coastal villages as a way to expand their influence and subsistence base and obtain marine tools and materials such as shark teeth and shell tools. It is suggested here that the dominance of Belle Glade Plain pottery in the Caloosahatchee Area from A.D. 650-1350 (Cordell, 1992), the dominance of this type in Boca Raton during part of this same period (Furey, 1972) and the construction of large linear earthworks in the Lake Okeechobee Area also during this period (Sears, 1982; Carr *et al.*, 1995; Griffin, 1988) provide evidence for these hypotheses.

It is also suggested here that the colonization of the Atlantic coast by Lake Okeechobee peoples was directed towards only one area, the region of present-day Boca Raton. Evidence for this hypothesis is provided in part by the presence of the Boynton Mound Complex (8PB56), about 11 miles to the northwest of Boca Raton, in what was once the eastern Everglades. This site contains several associated mounds and earthworks and is quite similar to sites farther north and west in the Lake Okeechobee Area. No other site like this has been identified in eastern Martin, Palm Beach, Broward or Dade counties. Because of this fact and its close proximity and similarities to the Spanish River Complex, it is probable that the people living at the Boynton Mounds were Lake Okeechobean peoples who, like the Spanish River residents, migrated to the southeast at some point. The Boynton Mounds may represent the initial colony and/or a group of Spanish River residents who split from the main group on the coast. The Boynton residents probably served as intermediaries between the Lake Okeechobee Area heartland and the Spanish River colony.

Decorated ceramics are absent in this area until the appearance of St. Johns Check Stamped pottery. The numerous incised sand-tempered types, which are used so successfully in the Everglades Area for relative dating of sites, are almost completely absent from the East Okeechobee Area, especially as one moves further north in the area. Sand-tempered plain is the dominant type, except in and around Boca Raton, which, as discussed, seems to be an eastern outpost for a Lake Okeechobee proto-chiefdom. Thus, sites closest to Boca Raton are expected to have a greater proportion of Belle Glade Plain pottery than sites farther to the north in this area. The types Belle Glade Plain, sand-tempered plain, St. Johns Plain, and St. Johns Check-stamped make up the bulk of all ceramic artifacts found here. Other types, such as Savannah Fine Cord-marked, Surfside Incised, Engelwood Incised, Opa Locka Incised, Dunn's Creek Red, Carrabelle Punctated, Little Manatee Zoned Shell Stamped, St. Johns Simple Stamped, Weeden Island Incised, and Sarasota Incised have been recovered in very small amounts in the area and probably represent trade wares.

Non-ceramic artifacts that distinguish the East Okeechobee Area are *Busycon* adzes and picks typical of the Indian River and St. John's Areas. Rare trade items typical of these areas include greenstone artifacts like celts and plummets. Bone artifacts, such as points and hair

pins, are not uncommon and a few have been recovered which display incised decorations (Wheeler, 1992b; Kennedy *et al.*, 1993).

Burials that have been encountered and reported demonstrate several mortuary practices, such as primary burial, extended burial, and bundle burial. Isolated burials have even been noted in village midden contexts (Kennedy *et al.*, 1993; DuBois, 1994). However, it is probable that the lack of discernable temporal and spatial patterns is due to a lack of general evidence and research in the area.

Site types are generally oyster shell or black earth middens. Both villages and camp sites have been located, with the largest sites being along the coast. Small coastal procurement sites have also been recorded, though. The Singer Island Site (8PB214), for instance, is located on a barrier island and seems to have served as both a site of procurement of sea turtles and other marine fauna and as a lookout point for the salvaging of shipwrecked European vessels (Dickel, 1988). Sand earthworks have also been occasionally noted, such as at the Riviera Complex mentioned earlier, at the Loxahatchee Earthwork Complex (8PB49), and at the Jupiter Inlet Complex (Douglass, 1880). Sand burial mounds, such as the Highland Beach Burial Mound (8PB11), the Nebot Site (8PB219), the Palm Beach Inlet Mound (8PB29), Palm Beach 4 (8PB26) and 8PB4 of the Boca Raton Complex are not uncommon and are usually associated with coastal village complexes. Some, such as the Highland Beach Mound, are, or were, quite extensive, containing large numbers of burials. A. E. Douglass (1882, 1885, 1890), an early explorer and amateur archaeologist, also reported excavating in a burial mound associated with the Jupiter Inlet Complex, although recent attempts to find this mound proved unsuccessful.

Almost all recorded habitation sites are located in what are now or what once were hardwood hammocks. Coastal sites are located in tropical hammocks and inland sites are generally located in "low" hammocks. There were several adaptive advantages associated with these ecosystems that made them quite attractive to the aborigines of the East Okeechobee Area and southern Florida in general. First, hammock vegetation especially that of low, or "hydric" hammocks, produces a great amount of edible fruits and seeds (Ewel, 1990). Species that were or probably were important aboriginally include the cabbage palm, pigeon plum, *Ficus aurea* (strangler fig) and *Ficus citrifolia*, sea grape, "fox grapes," laurel and live oaks, persimmon and dahoon holly (Austin, 1980). In addition, large numbers of potential game animals, including deer, are attracted to hammocks during mast (acorn) producing season. Low hammocks are also usually tree islands, surrounded by water or other ecosystems. Camping or living in such a place would allow easy access to drinking water and other ecosystems for foraging. Hammocks are also generally moist enough so that fires, especially campfires, would not have been a potential problem. Flooding would not have been a problem either, as hammocks usually occupy fairly high ground. Hammocks in their natural state are also often fairly free of underbrush or herbs of any kind. This would make movement easy and provide work and living areas. Hammocks also lack the temperature extremes found in other ecosystems, providing enough shade during the day to keep temperatures within them fairly cool and trapping enough heat at night to keep temperatures from dropping too low. Finally, many hammock soils contain clay deposits, important for the manufacture of ceramic vessels.

A tentative and general chronology for the East Okeechobee Area follows. It should be stressed though, that very little research has been done in the area and this chronology will almost certainly undergo future revisions and possible wholesale changes as more data is collected.

#### **Paleo Period (10000 B.C. to 8000 B.C.)**

Paleoindians lived in southern Florida in association with mammoths, bison, and other types of megafauna. Deposits of fossilized Pleistocene bone have been uncovered by dredging operations from several locations in southern Florida and from solution holes in south Dade County. These deposits yielded a wide range of grazing ungulates and sloths, indicating the presence of more extensive grasslands than present (Webb and Martin, 1974). With the extinction of the megafauna by about 11,000 B.P., Paleoindians apparently adapted to the emerging wetlands of southern Florida, and began to establish the patterns of subsistence that were to provide the basis of resource procurement for the subsequent 10,000 years. Evidence of the Paleo period in southern Florida is now well established with the discovery of a late Paleo/Early Archaic site at Cutler in south Dade County (Carr, 1986). Radiocarbon dates of  $9,640 \pm 120$  years B.P. were determined for this site, which yielded evidence of exploitation of deer and rabbit, some marine fauna, and some indication of hunting extinct horse and peccary. However, the majority of data from this site reflects Indian adaptation to the extinction of New World megafauna.

#### **Archaic Period (7500 B.C. to 750 B.C.)**

During the Post Glacial, the sea level rose and greatly diminished Florida's land size. It has been calculated that the rate of sea level rise was approximately 8.3 cm per 100 years from 6000 to 3000 B.P. That rate has decreased to about 3.5 cm per 100 years from 3000 B.P. to present (Scholl and Stuiver, 1967).

By 5000 B.P., cypress swamps and hardwood forests characteristic of the sub-tropics began to develop in southern Florida (Carbone, 1983; Delcourt and Delcourt, 1981). The Archaic Period was characterized by an increased reliance on the shellfish and marine resources on the coast by the native populations, and a generally expanded hunting, fishing, and plant gathering base throughout southern Florida.

Florida archaeologists recognize three temporal divisions for the Florida Archaic: early, middle and late. Although these divisions have traditionally been based on changes in projectile points and pottery types, new environmental and climatic data and increased knowledge of artifact assemblages and site types are now also used for dividing the Archaic (Milanich, 1994).

#### **Early Archaic (7500 B.C. to 5000 B.C.)**

To date, only a few sites are known in southern Florida that contain early Archaic components. The Cutler Ridge site seems to date mainly to the early Archaic, as do the Little Salt Spring and Warm Mineral Spring sites in Sarasota County. These two sites are both deep sinkholes that were probably utilized as waterholes in the early Archaic. Other southern Florida sites from this time period may as yet be unidentified. If such sites are

found they would be expected to be ancient cenotes or sinkholes, similar to the Sarasota sites, which served as ponds or waterholes in the past (Milanich, 1994).

### **Middle Archaic (5000 B.C. to 3000 B.C.)**

During the middle Archaic more and larger areas of surface water were present in southern Florida. However, most known habitation sites are again located around ancient hydric sinkholes or around similar features, which would have been good sources of water in the past. Little Salt Spring and Warm Mineral Spring have sizable middle Archaic components as do the Bay West site in Collier County and the Republic Grove site in Hardee County (Milanich 1994).

One extremely interesting culture trait that seems to be peculiar to the Early and Middle Archaic of southern Florida is the mortuary pond. The Bay West site (Beriault *et al.* 1981), Little Salt Spring (Clausen *et al.* 1979), Warm Mineral Spring (Royal and Clark 1960), and the Republic Grove site (Wharton *et al.* 1981) all contain human interments in what were shallow ponds during the middle Archaic. Preservation of organic materials from these pond burials is excellent because of the anaerobic condition of the ponds and the mucky soils that underlie them. Middle Archaic village middens are or were once located on the edges of these mortuary ponds.

In addition to mortuary ponds, small campsites are also common for the middle Archaic. These camps frequently occur as scatters of lithic artifacts and debitage. The Westridge site (8BD1119) on Pine Island ridge may be the only such mid-Archaic site identified so far in southeastern Florida (Carr *et al.* 1992).

### **Late Archaic (3000 B.C. to 750 B.C.)**

By 3000 B.C., the climate and environments of Florida had reached essentially modern conditions. This allowed for a regionalization of cultures as individual societies throughout Florida developed adaptations specific to their local environments (Milanich, 1994). During the late Archaic, the first pottery was produced by the aborigines of Florida. The development of ceramics is important as it suggests that the peoples of this time had adopted a more sedentary lifestyle.

In southeastern Florida, semi-fiber-tempered pottery has been recovered along Biscayne Bay at the Atlantis site (Carr 1981a,b) and at interior sites such as the Honey Hill site (8DA411) (Carr *et al.* 1992), the 202nd Street site in northern Dade County (Laxson 1962), and the Markham Park site (8BD183) in Broward County (Mowers and Williams 1974). Along the Atlantic coast east of Lake Okeechobee, a possible semi-fiber-tempered sherd was recovered from the House of Refuge Midden on Hutchinson Island in Martin County during avocational excavations (Feaster 1965). In addition, several possibly semi-fiber-tempered sherds from another Hutchinson Island site, Santa Lucea (8MT37), are on display at the Elliot Museum. Several semi-fiber-tempered sherds are also reported for Jupiter Inlet I (8PB34) farther south in Palm Beach County (Kennedy *et al.* 1993). Semi-fiber-tempered sherds were also recovered from the coastal Mt. Elizabeth site (8MT30) in a recent survey of Martin County (Carr *et al.* 1995).

Other sites did not contain any ceramics. This suggests that they represent short-term hunting camps occupied temporarily by coastal inhabitants, or that they date to earlier mid-Archaic times. The extreme densities of some of these sites argues against them being anything other than permanent habitation sites. Research also shows that these tree island communities date back no farther than 5000 B.P., or 3000 B.C. (Kremer and Spackman 1981). This seems to rule out habitation of these sites during periods earlier than the late Archaic, although the possibility remains that initial occupation may have begun during mid-Archaic times at some.

This Glades Archaic culture seems to have had little contact with other cultures. This is documented in part by the non-ceramic nature of these sites. As Sassaman (1993) discussed, the fiber-tempered pottery tradition was adopted and practiced intensively in only a few areas. Thus, it should not be difficult to imagine that a population dispersed among and well adapted to the interior marshes of southern Florida would have had no trouble avoiding contact with or resisting the influences of neighboring cultures. The ability of the Seminoles to do this well into modern times can be considered adequate evidence for this postulation.

The general lack of stone tools in southern Florida is obviously due in part to a corresponding lack of good lithic procurement sites here, but it may also have something to do with the postulated isolationist nature of the Glades Archaic peoples. The natural resources utilized and eaten by these people probably required little of the sort of archaeologically recognizable material culture represented by ceramic and lithic artifacts. Vegetable fibers, including wood, and bone probably provided most of the raw materials needed for artifact production. The use of biodegradable material translates into an incredibly low number of artifacts known from these sites. Most artifacts recovered are made from bone, although *Strombus* celts have been recovered from some sites. These celts may represent contact with coastal Orange cultures but most likely represent occasional coastal procurement by Glades Archaic populations themselves.

The Glades Archaic is postulated as being a culture that was well adapted to life within the newly formed interior wetlands of the late Archaic. This adaptation was so complete that Glades Archaic peoples were able to remain relatively unchanged for over 2000 years.

#### **East Okeechobee Period (Ca. 750 B.C. to 1750)**

The recent research conducted by Florida Atlantic University makes it clear that Goggin's (1947) Glades chronology is not useful for the East Okeechobee Area. Therefore, a new chronology, specific to this area, is proposed. It must be noted though, that the only radiocarbon dates recorded in the area have come from Jupiter Inlet I (8PB34) and the following chronology is based mainly on sites in the Jupiter area. Thus, the chronology will be most successfully applied to sites found along the Loxahatchee River.

The East Okeechobee I period (750 B.C. – ca. A.D. 800) is characterized by the use of undecorated sand-tempered pottery in most of the area, such as in the Hungryland Midden (8PB6294) (Kennedy *et al.* 1991), the numerous sites recently identified along the upper Loxahatchee River (Kennedy *et al.* 1991; Kennedy, Jester, Pepe, Sinks and Wernecke 1994;

Kennedy, Jester, Pepe, Sinks, Wernecke and Flaherty 1994; Carr, *et al.* 1995), and in basal levels of Jupiter Inlet I (8PB34) (Kennedy *et al.* 1993). Belle Glade Plain is a minor type except in and around Boca Raton where it is the dominant type and sand-tempered plain is the minor type. This pattern is evidenced by the ceramic assemblage from the Spanish River Complex (Furey 1972). Again, this is probably the result of a Lake Okeechobean settlement in the Boca Raton area. Other types of pottery are absent or make up only trace amounts of total assemblages from this period. It is important to note that this period is marked by an absence of St. Johns pottery. This seems to demonstrate a direct transition from the Glades Archaic culture rather than from the Orange culture.

As with the Glades Archaic, sites seem to be concentrated in the interior wetlands rather than on the coast. However, the upper Loxahatchee River sites seem to demonstrate that, unlike the earlier Glades Archaic, East Okeechobee I sites may be found along the upper reaches of rivers and streams in the area. These sites probably represent camps that were occupied seasonally and not located in exactly the same place every year. This would explain the extended length and unevenly distributed middens of most of the upper Loxahatchee sites. Coastal sites such as Jupiter Inlet I were probably occupied seasonally as well during this time. The time span for this period is quite long but it could possibly be broken down into sub-periods if more research is done in the area. Changes in ceramic rim styles may prove to be the most useful tool for this purpose.

The East Okeechobee II period can be tentatively stated as starting around A.D. 800 and extending to about A.D. 1000. This relatively short period is marked by the appearance of St. Johns Plain ceramics as documented at Jupiter Inlet I (8PB34) and Suni Sands (8PB7718). The noticeable lack of St. Johns ceramics in the interior sites mentioned for the last period testifies to a change in settlement patterns for East Okeechobee II. It appears that permanent settlements in this period were concentrated along the coast for the first time (excepting earlier Orange settlements). In the southern part of the area, dominated by the proposed Lake Okeechobean settlement, this period is marked by an increase in the use of sand-tempered plain pottery and by a corresponding slight decrease in Belle Glade Plain. The dates for this period in and around Boca Raton may also be slightly later, perhaps from about A.D. 950 to A.D. 1200.

Jupiter Inlet I (8PB34) has provided a radiocarbon date on the beginning of the next period, East Okeechobee III. The marker type for this period, St. Johns Check Stamped, makes its first appearance at about A.D. 1000. No date on the first appearance of this type has been obtained from the Spanish River Complex, but it may very well appear somewhat later, perhaps at around A.D. 1200, as it does in the rest of southern Florida. In all parts of the East Okeechobee Area though, this period is marked by a substantial increase in the St. Johns ceramic series, until St. Johns Plain and St. Johns Check-stamped eventually become the dominant types. This can be seen at the Riviera Site (8PB30) (Wheeler 1992). Before the St. Johns series becomes dominant in the Boca Raton area though, the increase in sand-tempered plain and decrease in Belle Glade Plain continues, so that, for a while at least, both the amounts of sand-tempered plain and the St. Johns wares are increasing simultaneously. This period ends with the appearance of European goods. A tentative date in line with other areas in southern Florida for sustained European contact is A.D. 1500.

Therefore, the next period, East Okeechobee IV, is marked by essentially the same ceramics as the previous period except that this period has the addition of European goods. The St. Johns series is dominant and the Riviera Site (8PB30) suggests that St. Johns Check-Stamped may actually be the most dominant ware. The tribe encountered in the East Okeechobee Area by Europeans at this time was called the Jeaga. It is possible that the Jeaga were under the political dominance of the Calusa, a tribe centered on the southwestern coast of Florida (Fontaneda in True 1945). However, the large amounts of St. Johns pottery and other artifacts from the Indian River and St. Johns Areas in the East Okeechobee Area during this time suggests dominance by these northern areas instead. As mentioned before, Dickinson also observed that the Jeaga were forced to hand over his shipwrecked cargo to the Ais, their neighbors to the north. Thus, it would seem that if the Calusa did exert any control over the Jeaga, it was minimal or sporadic and was not nearly as strong as was that exerted by the Ais and perhaps by the Timucua farther to the north.

It has been estimated that there were about 20,000 Indians in south Florida when the Spanish arrived (Milanich and Fairbanks 1980). By 1763, when the English gained control of Florida, that population had been reduced to several hundred. These last survivors were reported to have migrated to Cuba with the Spanish (Romans 1962), however, it is likely that the so-called "Spanish Indians" (Sturtevant 1953), who raided Indian Key in 1840, were the mixed-blood descendants of the Calusa and/or refugees from north Florida missions raided by the English in the early eighteenth century. The Spanish-Indians joined the Seminoles, who had fled en masse into south Florida in 1838 after the Battle of Okeechobee, although some Creek groups apparently had migrated to south Florida earlier in the century.

#### **Historic Period (1750 AD – 1900 AD)**

The earliest documentary evidence of Seminole settlement in South Florida is an account by John Lee Williams (1837) describing Snake Warrior's Island at the headwaters of Snake Creek. Recently, site 8BD1867 in Miramar in southern Broward County was identified as this site. Seminole archaeology is a relatively new focus in South Florida, and recent work has contributed new data. Numerous Seminole sites have been identified in Palm Beach County, including those associated with Fort Jupiter and the Loxahatchee River (Carr *et al.* 1994; Carr *et al.* 1995; Pepe and Carr 1996a and 1996b; Pepe *et al.* 1998).

By the 1860s, several pioneer families had settled along the coastal area. Fishing, citrus groves, and farming were some of the means of livelihood. In the 1890s the arrival of the Florida East Coast Railway began development in the region that continues to present-day. The impetus for development in the Palm Beach area began with the building of the grandiose Breakers Hotel by Henry Flagler in the 1890s as a destination for tourists using his railway. The town of Palm Beach then became a mecca for the rich and famous during the winters. Many wealthy residents continue the impetus to develop and redevelop the northern Palm Beach area. Other population pressures and continuing improvements to the transportation infrastructure have pushed residential and commercial development further into the western portions of the county.

## **Methodology**

The objective of this Phase I cultural resources assessment survey was to determine whether any prehistoric or historic sites, features, or artifacts occur within the project parcel. This is accomplished by: carefully reviewing existing literature and documents, designing a research strategy, and adopting appropriate fieldwork methodologies specific to the survey parcel.

### **Background Research**

Prior to conducting fieldwork, relevant archives and literature were reviewed. This included, but was not limited to, studying previous archaeological reports for sites in central Palm Beach County, reviewing information from the Florida Master Site File in Tallahassee concerning nearby sites and cultural resource investigations, and examining Government Land Office (GLO) and USGS maps of the project area (Figure 8). A review of the Labins database of land surveys also was conducted. In addition, color and black and white aerial photographs (some dating to 1953) from the project area, which could aid in revealing anthropogenic changes to landforms or floral communities, were examined. The FMSF review determined that there were no recorded cultural resources either within the survey parcel or within a 1.6 kilometer (1.0 mile) radius of the survey parcel. As noted previously, one cultural resource investigation was determined to have previously occurred within a portion of the Indian Trails parcel. In 2005, the Archaeological and Historical Conservancy, Inc., (AHC) performed a Phase I survey of a ±26.5 hectare (±65.6 acre) parcel of land which fell within the northeastern tract of the current Indian Trails survey area (Longo 2004). Consistent with the findings of the current survey Longo reported that his survey area was "cleared and intensely altered". No sites were found.

### **Research Design**

Survey parcels are divided into low, moderate and high probability zones (LPZ, MPZ, and HPZ respectively) with regard to the relative likelihood of a given area containing cultural resources. The assignment of probability zone rankings is dependent on the use of predictive archaeological site models. These models are based on topographic and vegetative attributes that are known to be associated with prehistoric sites. For interior Palm Beach County the model postulates that elevated sandy knolls, and live oak/hardwood and cabbage palm hammocks adjacent to wetlands or bordering creeks constitute either MPZ's or HPZ's (Carr 2002). A model used for predicting Archaic Period prehistoric sites, shifts the focus to elevated xeric scrub communities near marshes.

Data from a variety of sources were considered while assigning probability rankings to areas within the survey parcel. These sources included but were not limited to: elevational information on the relevant USGS Quadrangle maps, and vegetational information and landform information interpreted from aerial photographs. While the assessment was made that due to the extent of prior terra-forming activities the project parcel had a generally low probability of containing significant cultural resources, a total of 27 MPZ's were identified that were believed to have a moderate probability of

containing cultural resources. During the initial fieldwork stages of the survey LPZ transects were walked and were shovel tested at the standard 100 meter (328 feet) interval. Following consultation with, and concurrence by, the Florida Historic Sites Specialist it was decided to forgo the placement of low-probability transects within the remaining portions of the survey parcel and to focus efforts instead on the MPZ's that had been previously identified. This methodological change resulted from an acknowledgment of the special characteristics of the Everglades environment. Historically, most of the survey area would have been wetlands with a limited number of habitable landforms. The 27 designated MPZ's represented our best estimates as to the location of habitable areas - specifically, possible tree islands and knolls.

### **Field Work**

For administrative purposes the Indian Trails parcel was divided into five separate survey areas designated the South, West, Northwest, Northeast, and East Tracts (Figure 1). Pedestrian survey and subsurface testing were utilized to assess the survey parcel. Subsurface testing was accomplished through the excavation of shovel tests (ST). Transect (TR) and ST intervals were specified in accordance with state of Florida guidelines (FDHR n.d.). For LPZ's the ST interval was 100 meters (328 feet). Although state guidelines only require an MPZ transect and shovel test interval of 50 meters (164 feet), experience in south Florida shows that an interval as large as 50 meters is likely to miss small, localized sites common to tree islands and hammocks. A more rigorous strategy was adopted to deal with the MPZ's. These zones, or "targets", were tested utilizing a minimum of nine ST's. Testing of each MPZ target began with the excavation of an initial "central" ST followed by the excavation of two shovel tests in each of the four cardinal compass directions (north, south, east, west). This constitutes a standard and widely accepted "radial shovel test" methodology. All MPZ ST's were placed at 10 meter (33 feet) intervals. No HPZ's were assigned.

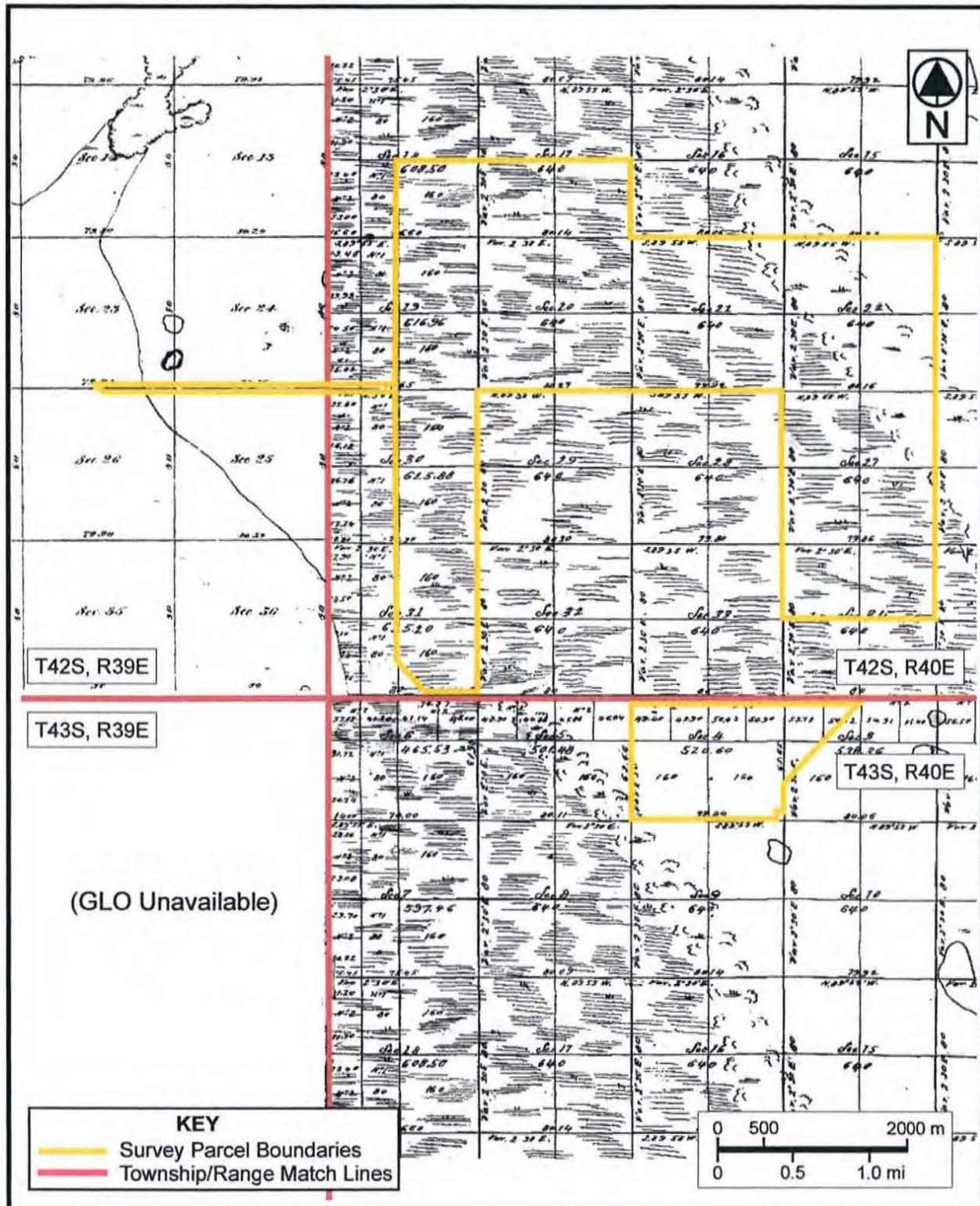
Shovel tests measured a minimum of 50 centimeters (20 inches) in diameter. They were excavated to a depth of 1.0 meter (3.3 feet) unless encountering obstructions. Due to the presence of a high water table some shovel tests were terminated before reaching the 1.0 meter (3.3 feet) depth. All excavated soils were screened through 0.64 centimeter ( $\frac{1}{4}$  inch) mesh hardware cloth. Any non-modern cultural material was saved.

### **Collections**

No prehistoric or historic periods artifacts were recovered.

### **Informants**

The Indian Trails survey parcel is presently owned and managed by two separate entities: Farm Op Inc., #9, and Dubois Farms. Three informants were interviewed: Tom Mecca - Farm Manager, and Jason Eppolito - Assistant Farm Manager, for Farm Op #9; and Robbie Dubois - Farm Manger for Dubois Farms. All three individuals reported that they were unaware of any historic or prehistoric sites or artifacts being found on their respective properties.



**Figure 8.** GLO map of the Indian Trails Parcel area.

Source(s): <http://data.labins.org/2003/SurveyData/LandRecords/GLO/search.cfm>

## **Results and Conclusions**

This Phase I cultural resources assessment of the Indian Trails parcel was conducted between August and October 2006. For administrative purposes the parcel was divided into five separate survey areas designated the South, West, Northwest, Northeast, and East Tracts (Figure 1). Altogether, 15 Low Probability Zone (LPZ) transects were established, and 27 Moderate Probability Zone (MPZ) targets were identified (Figures 9, 10, 11, 12 and 13). A total of 384 shovel tests (ST's) were excavated within these various zones.

### **Results**

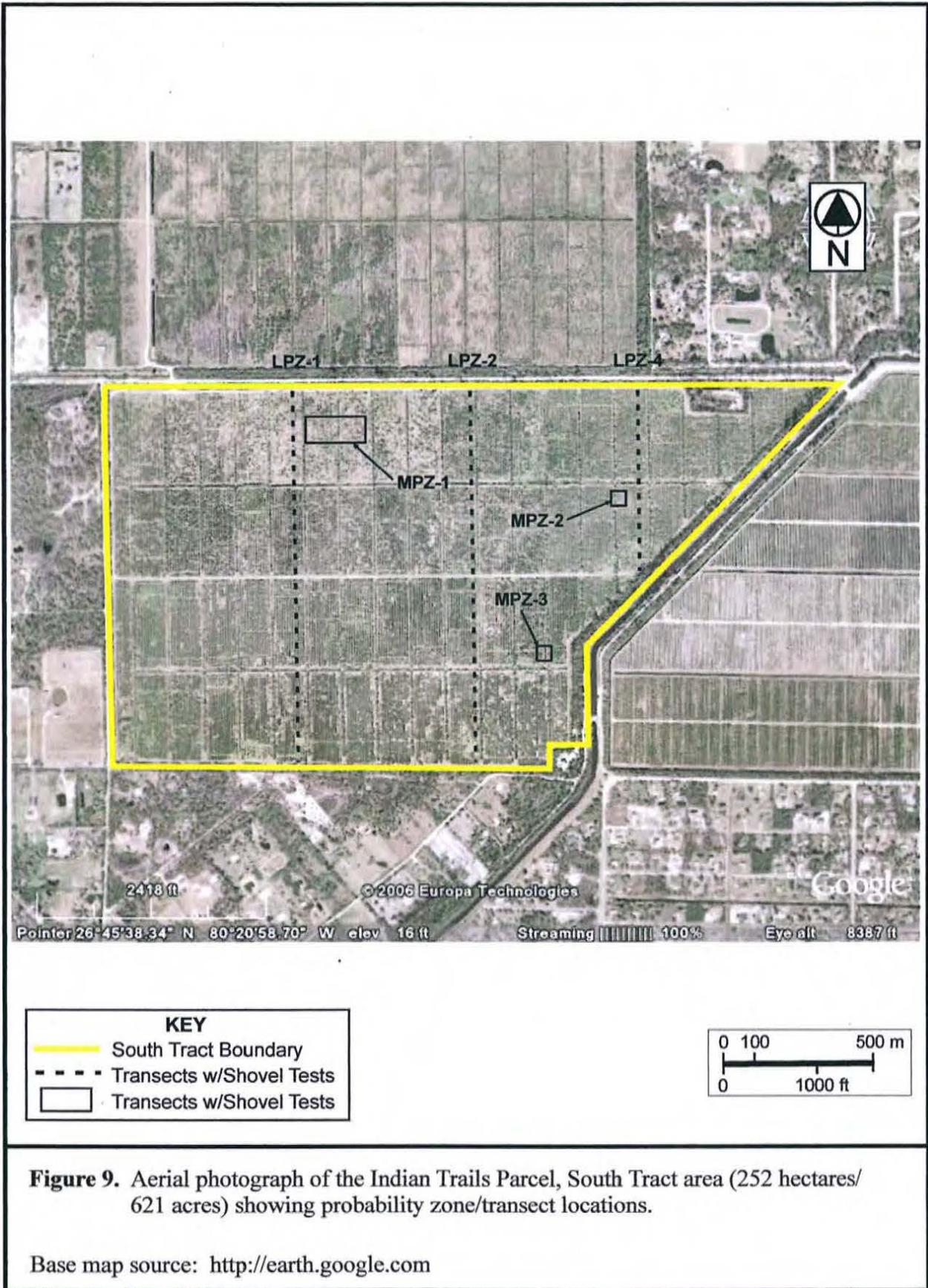
All shovel tests produced negative results for prehistoric or historic period materials or features. Several ST's in the West and Northwest Tracts produced shredded fragments of plastic "mulch" at depths between 0 and 70 centimeters (0 to 28 inches) below the ground surface. This is evidence of extensive deep disturbances due to citrus grove operations (Appendix 1).

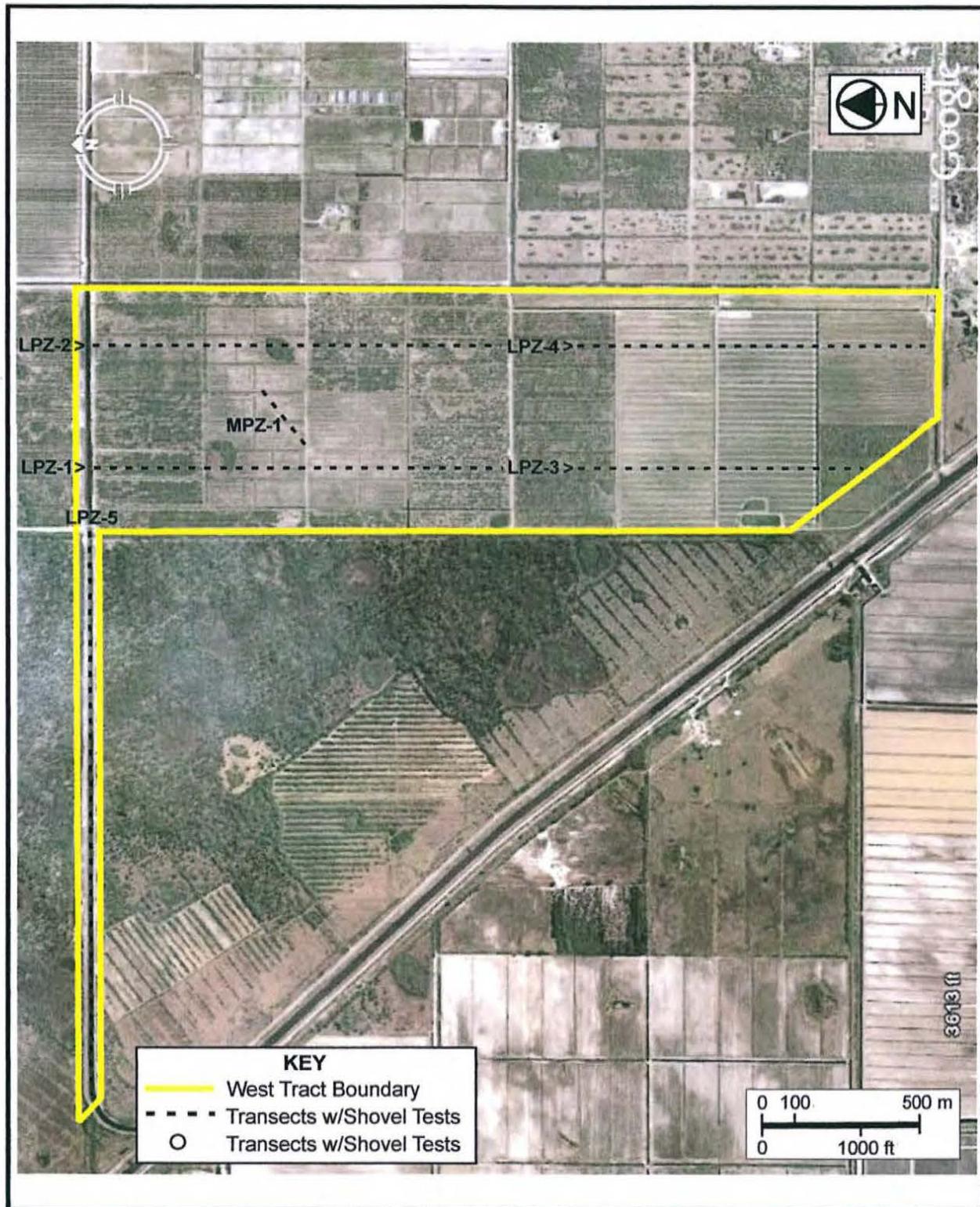
None of the historic period maps or aerial photographs reviewed indicated any structures within the survey area. However, a more contemporary (ca 2000) aerial photograph did show evidence of three structures - one within the Northeast Tract and two within the East Tract. All of these structures were field-visited and determined to be of modern construction (one "double-wide" mobile home with storage shed, and two concrete-block farm operation offices/workshops). Additional modern features observed included irrigation pumping stations, irrigation ditches and canals, and water retention ponds. No historic period structures or structure ruins were found.

### **Conclusions and Recommendations**

Based on the results of background and field investigations it is the consultant's opinion that no archaeological or historic sites regarded as potentially eligible for listing on the National Register of Historic Places occur within the Indian Trails parcel. If subsequent development of the parcel reveals archaeological materials then the relevant state and/or local agencies should be notified.

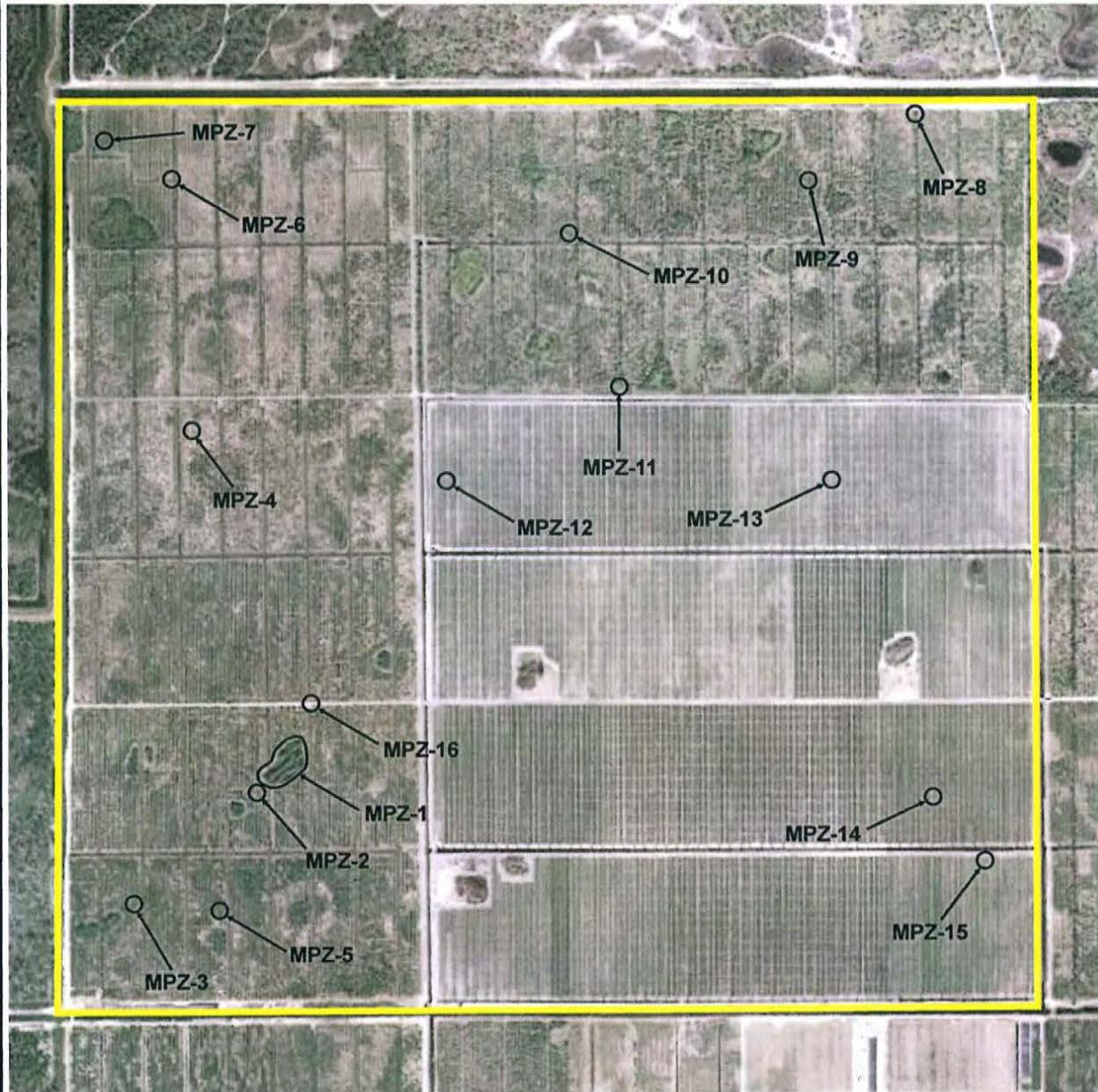
No currently available cultural resource investigative methodology or technique is adequate to locate all sites or site components in an area, given the various field conditions and given that some resources exist deeply buried beneath the surface. Should cultural material or evidence of cultural activity appear during construction activities the appropriate authorities should be notified. If human remains are discovered, the provisions of Florida Statute 872.05, the Unmarked Human Graves Act, will apply.





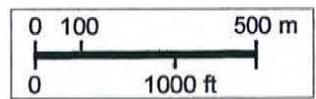
**Figure 10.** Aerial photograph of the Indian Trails Parcel, West Tract area (282 hectares/ 697 acres) showing probability zone/transect locations.

Base map source: <http://earth.google.com>



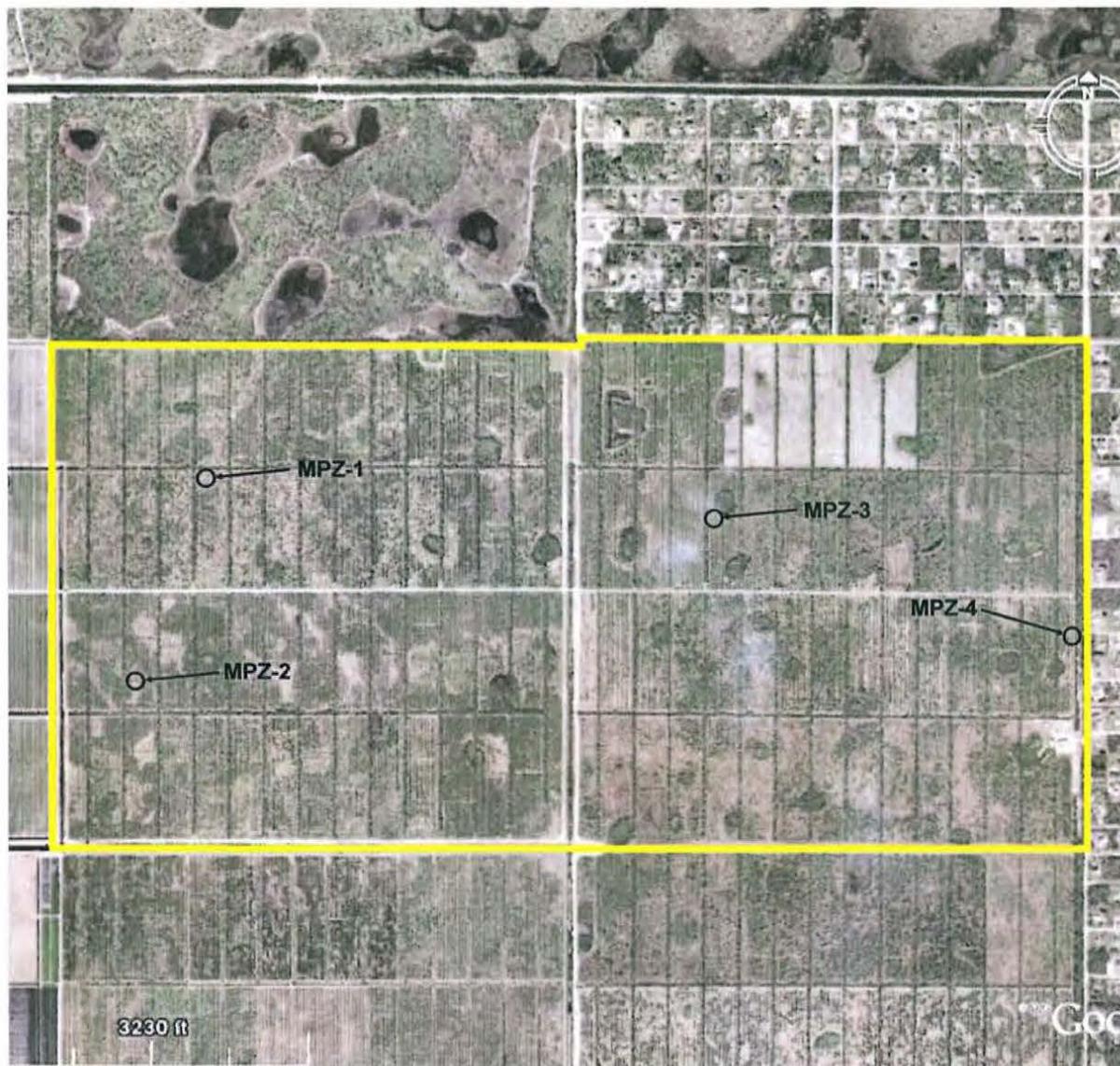
**KEY**

- Northwest Tract Boundary
- Transects w/Shovel Tests



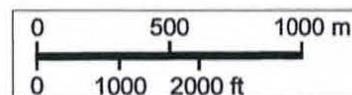
**Figure 11.** Aerial photograph of the Indian Trails Parcel, Northwest Tract area (591 hectares/ 1460 acres) showing probability zone/transect locations.

Base map source: <http://earth.google.com>



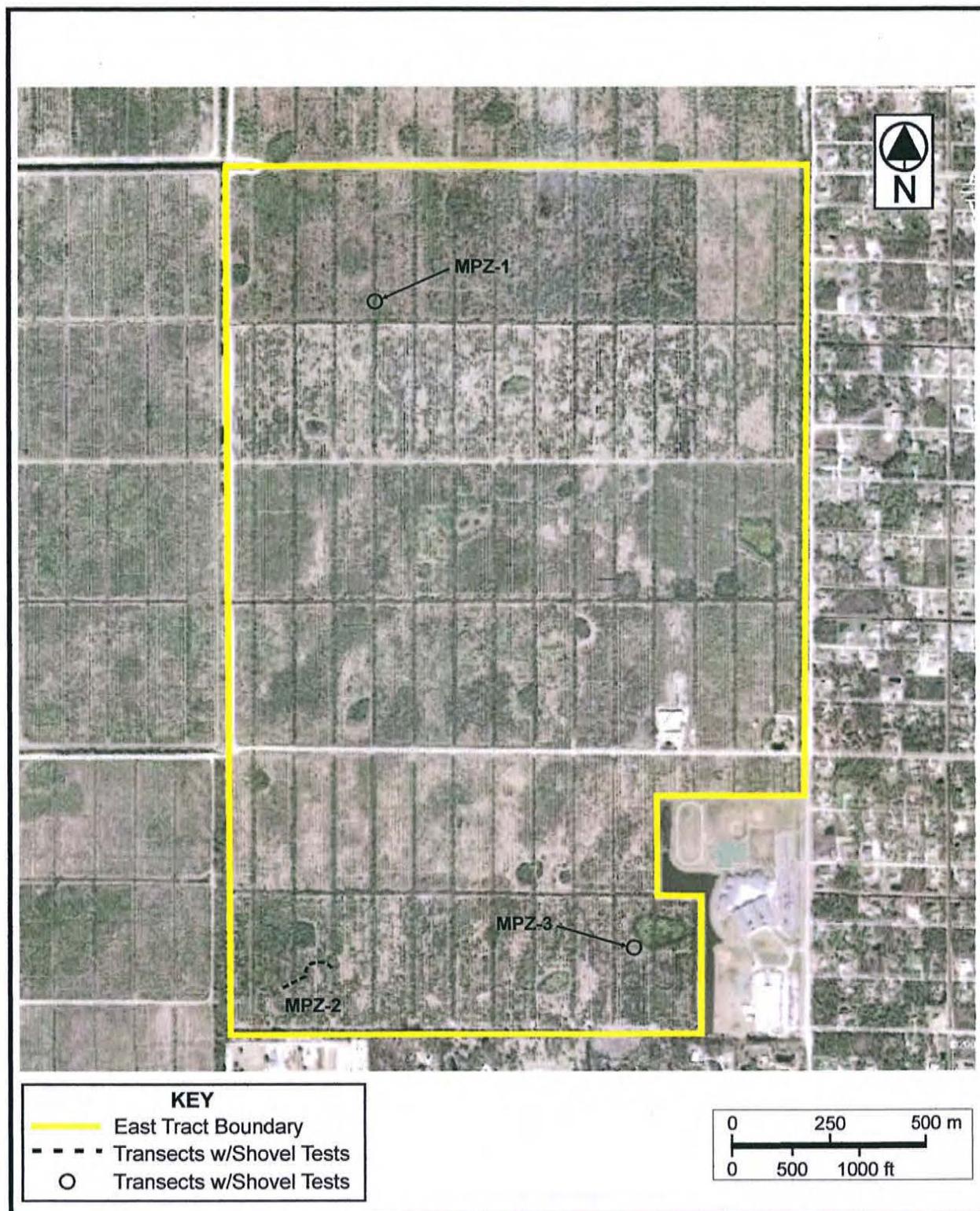
**KEY**

-  Northeast Tract Boundary
-  Transects w/Shovel Tests



**Figure 12.** Aerial photograph of the Indian Trails Parcel, Northeast Tract area (519 hectares/ 1283 acres) showing probability zone/transect locations.

Base map source: <http://earth.google.com>



**Figure 13.** Aerial photograph of the Indian Trails Parcel, East Tract area (363 hectares/ 896 acres) showing probability zone/transect locations.

Base map source: <http://earth.google.com>

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### Appendix 1: Results Summary

TRACT	PZ/TR ID	NO. OF ST'S	RESULTS (+/-)	COMMENTS
South (252 ha/621 ac)	LPZ-1	1	-	
	LPZ-2	11	-	
	LPZ-3	11	-	
	LPZ-4	4	-	
	MPZ-1	11	-	
	MPZ-2	4	-	
	MPZ-3	4	-	
	<b>Subtotal:</b>		<b>46</b>	
West (282 ha/697 ac)	LPZ-1	18	-	Modern glass in ST-9
	LPZ-2	14	-	
	LPZ-3	13	-	
	LPZ-4	19	-	Plastic sheeting in multiple ST's. Disturbed corridor along canal.
	LPZ-5	0	-	
	MPZ-1	12	-	
	<b>Subtotal:</b>		<b>76</b>	
Northwest (591 ha/1460 ac)	LPZ-1	8	-	
	LPZ-2	8	-	
	LPZ-3	8	-	
	LPZ-4	8	-	
	LPZ-5	9	-	
	LPZ-6	9	-	
	MPZ-1	10	-	
	MPZ-2	9	-	
	MPZ-3	9	-	
	MPZ-4	9	-	
	MPZ-5	9	-	
	MPZ-6	9	-	
	MPZ-7	9	-	
	MPZ-8	9	-	
	MPZ-9	9	-	
	MPZ-10	9	-	
	MPZ-11	9	-	
MPZ-12	9	-	Plastic sheeting in ST's.	
MPZ-13	9	-	Plastic sheeting ST's.	
MPZ-14	9	-	Plastic sheeting in ST's.	
MPZ-15	9	-	Plastic sheeting in ST's.	
MPZ-16	6	-		

TRACT	PZ/TR ID	NO. OF ST'S	RESULTS (+/-)	COMMENTS
		<b>Subtotal:</b>	192	
Northeast (519 ha/1283 ac)	MPZ-1	9	-	
	MPZ-2	9	-	
	MPZ-3	9	-	
	MPZ-4	9	-	
		<b>Subtotal:</b>	36	
East (363 ha/896 ac)	MPZ-1	9	-	
	MPZ-2	16	-	
	MPZ-3	9	-	
		<b>Subtotal:</b>	34	
		<b>TOTAL:</b>	384	
<b>NOTES:</b> This column refers ONLY to the presence or absence of prehistoric or historic period materials and does NOT include modern materials/artifacts.				

Ent D (FMSF only)      /      /     

# Survey Log Sheet

Florida Master Site File  
Version 2.0 9/97

Survey # (FMSF only)                     

Consult *Guide to the Survey Log Sheet* for detailed instructions.

## Identification and Bibliographic Information

Survey Project (Name and project phase) Indian Trails Phase I Assessment Survey

Report Title (exactly as on title page) A Phase I Cultural Resource Assessment Survey of the Indian Trails Parcel, Palm Beach County, Florida

Report Author(s) (as on title page— individual or corporate; last names first) Mueller, Bradley M.

Publication Date (year) 2006 Total Number of Pages in Report (Count text, figures, tables, not site forms) 40

Publication Information (If relevant, series and no. in series, publisher, and city. For article or chapter, cite page numbers. Use the style of *American Antiquity*; see *Guide to the Survey Log Sheet*.) Archaeological and Historical Conservancy, Technical Report #744

Supervisor(s) of Fieldwork (whether or not the same as author(s); last name first) Carr, Robert S., M.S.

Affiliation of Fieldworkers (organization, city) Archaeological and Historical Conservancy, Davie, FL

Key Words/Phrases (Don't use the county, or common words like *archaeology*, *structure*, *survey*, *architecture*. Put the most important first. Limit each word or phrase to 25 characters.) Big Mound South quadrangle, West of Delta quadrangle, Loxahatchee NW quadrangle, Loxahatchee quadrangle, Corbett Wildlife Area

Survey Sponsors (corporation, government unit, or person who is directly paying for fieldwork)

Name Palm Beach West Associates I, LLLP

Address/Phone 1600 Corporate Parkway, Suite 300, Sunrise, FL 33323/954-753-1730

Recorder of *Log Sheet* Bradley M. Mueller Date *Log Sheet* Completed 10/13/2006

Is this survey or project a continuation of a previous project?  No  Yes: Previous survey #(s) (FMSF only)                     

## Mapping

Counties (List each one in which field survey was done - do not abbreviate; use supplement sheet if necessary) Palm Beach

USGS 1:24,000 Map(s): Map Name/Date of Latest Revision (use supplement sheet if necessary: Big Mound South 1985, West of Delta 1985, Loxahatchee NW 1985, Loxahatchee 1985

## Description of Survey Area

Dates for Fieldwork: Start 08/21/06 End 10/15/06 Total Area Surveyed (fill in one) 2006 hectares 4957 acres

Number of Distinct Tracts or Areas Surveyed 5

If Corridor (fill in one for each): Width            meters            feet Length            kilometers            miles

**Research and Field Methods**

**Types of Survey** (check all that apply):  archaeological  architectural  historical/archival  underwater  other: \_\_\_\_\_

**Preliminary Methods** (Check as many as apply to the project as a whole. If needed write others at bottom).

- Florida Archives (Gray Building)       library research- *local public*       local property or tax records       windshield
- Florida Photo Archives (Gray Building)       library-special collection - *nonlocal*       newspaper files       aerial photography
- FMSF site property search       Public Lands Survey (maps at DEP)       literature search
- FMSF survey search       local informant(s)       Sanborn Insurance maps
- other (describe)      GLO maps

**Archaeological Methods** (Describe the proportion of properties at which method was used by **writing** in the corresponding letter. Blanks are interpreted as "None.")

F(-ew: 0-20%), S(-ome: 20-50%); M(-ost: 50-90%); or A(-ll, Nearly all: 90-100%). If needed write others at bottom.

Check here if **NO** archaeological methods were used.

- surface collection, controlled       other screen shovel test (size: \_\_\_\_\_)       block excavation (at least 2x2 M)
- surface collection, uncontrolled       water screen (finest size: \_\_\_\_\_)       soil resistivity
- A shovel test-1/4" screen       posthole tests       magnetometer
- shovel test-1/8" screen       auger (size: \_\_\_\_\_)       side scan sonar
- shovel test 1/16" screen       coring       unknown
- shovel test-unscreened       test excavation (at least 1x2 M)
- A other (describe): Ground surface inspection

**Historical/Architectural Methods** (Describe the proportion of properties at which method was used by **writing** in the corresponding letter. Blanks are interpreted as "None.")

F(-ew: 0-20%), S(-ome: 20-50%); M(-ost: 50-90%); or A(-ll, Nearly all: 90-100%). If needed write others at bottom.

Check here if **NO** historical/architectural methods were used.

- building permits       demolition permits       neighbor interview       subdivision maps
- commercial permits       A exposed ground inspected       occupant interview       tax records
- interior documentation       local property records       occupation permits       unknown
- A other (describe): Aerial photographs inspected

**Scope/Intensity/Procedures** Review of USGS maps, GLO map, and aerial photographs; excavation of 384 shovel tests along 42 separate transects; written documentation (field notes/forms) of field work; photo documentation of field conditions

**Survey Results (cultural resources recorded)**

Site Significance Evaluated?  Yes  No      If Yes, circle NR-eligible/significant site numbers below.

Site Counts: Previously Recorded Sites 0      Newly Recorded Sites 0

Previously Recorded Site #'s with Site File Update Forms (List site #'s without "8." Attach supplementary pages if necessary) \_\_\_\_\_

Newly Recorded Site #'s (Are you sure all are originals and not updates? Identify methods used to check for updates, ie, researched the FMSF records.

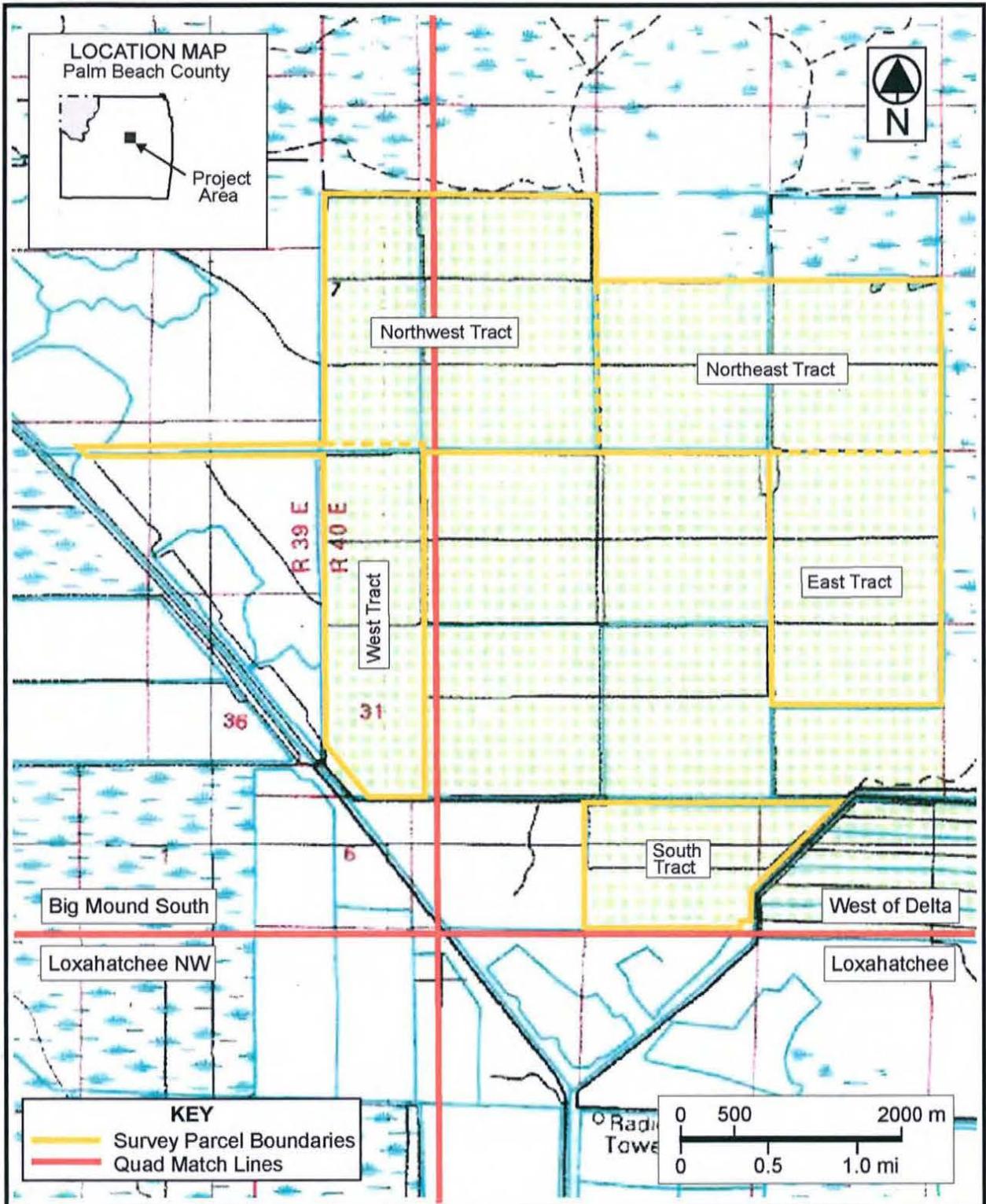
List site #'s without "8." Attach supplementary pages if necessary.) \_\_\_\_\_

Site Form Used:  SmartForm  FMSF Paper Form  Approved Custom Form: Attach copies of written approval from FMSF Supervisor.

**DO NOT USE ♣♣♣♣♣ SITE FILE USE ONLY ♣♣♣♣♣ DO NOT USE**

BAR Related	BHP Related
<input type="checkbox"/> 872 <input type="checkbox"/> 1A32	<input type="checkbox"/> State Historic Preservation Grant
<input type="checkbox"/> CARL <input type="checkbox"/> UW	<input type="checkbox"/> Compliance Review: CRAT #

**ATTACH PLOT OF SURVEY AREA ON PHOTOCOPIES OF USGS 1:24,000 MAP(S)**



**Survey Log Sheet Locator Map:** USGS map of the Indian Trails Parcel area.

Source(s): USGS1985 - Big Mound South; West of Delta; Loxahatchee NW; and Loxahatchee; at [www.terraserver.microsoft.com](http://www.terraserver.microsoft.com).



FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R40E, Sections 17, 18, 19, 20, 21, 22, 27, 30, 31 & 34

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Marie Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
R. A. Gray Building  
500 South Bronough Street  
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FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R39E, Sections 25 & 26

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

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Sincerely,

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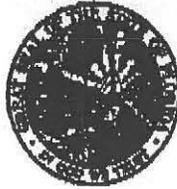
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FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R40E, Sections 3 & 4

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

*Celeste Ivory*

Marie Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
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FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
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DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller  
Archaeological and Historical Conservancy  
4800 S.W. 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-0954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R39E, Section 1

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

*Celeste Ivory*  
Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
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<input type="checkbox"/> Palm Beach Regional Office (561) 279-1475 • FAX: 279 1476	<input type="checkbox"/> Ft. Augustine Regional Office (904) 875-3043 • FAX: 823-3044	<input type="checkbox"/> Tampa Regional Office (813) 272 3343 • FAX: 272-7341	

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FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller  
Archaeological and Historical Conservancy  
4800 S.W. 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R40E, Sections 2, 5 & 6

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

*Celeste Ivory*

Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
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Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R39E, Sections 13, 24 & 36

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
R. A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439  
State SunCom: 205-6440  
Email: [fmrfile@dos.state.fl.us](mailto:fmrfile@dos.state.fl.us)  
Web: <http://www.dos.state.fl.us/dhr/msf/>

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<input type="checkbox"/> Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476	<input type="checkbox"/> St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044	<input type="checkbox"/> Tampa Regional Office (813) 272-3643 • FAX: 272-2340	



FLORIDA DEPARTMENT OF STATE  
Sun M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller  
Archaeological and Historical Conservancy  
4800 S.W. 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R40E, Sections 14, 15, 16, 23, 26, 28, 29, 32, 33 & 35

In interpreting the results of our search, please remember the following points:

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Archaeological Data Analyst, Florida Master Site File  
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500 South Bronough Street  
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Web: <http://www.dos.state.fl.us/dhr/masff>

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| <input type="checkbox"/> Palm Beach Regional Office<br>(561) 279-1476 • FAX: 279-1476 | <input type="checkbox"/> St. Augustine Regional Office<br>(904) 825-3049 • FAX: 825-8044 | <input type="checkbox"/> Tampa Regional Office<br>(813) 272-8603 • FAX: 272-2340 |   |



**KEITH and SCHNARS, P.A.**  
*ENGINEERS, PLANNERS, SURVEYORS*

6500 N. Andrews Ave. • Fort Lauderdale, FL 33309 • (954) 776-1616 • (954)771-7690 Fax  
[www.keithandschnars.com](http://www.keithandschnars.com) • [info@keithandschnars.com](mailto:info@keithandschnars.com)



**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
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Board of County  
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Mary Lou Berger, Vice Mayor  
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Paulette Burdick  
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Melissa McKinlay  
Priscilla A. Taylor

**County Administrator**

Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

July 17, 2015

Chris Barry, AICP, CUD, Senior Planner  
Urban Design Kilday Studios  
610 Clematis Street, Suite CU02  
West Palm Beach, FL 33401

**RE: Historical Preservation Data & Analysis Requirements  
Future Land Use Amendment Request: Indian Trails Groves**

This correspondence is in reply to request a review of the above referenced properties in regard to the identification of any historical and archaeological resources located on or within 500 feet of this property.

Staff review of the County's survey of historic/architecturally significant structures, and of properties designated for inclusion in the National Register of Historic Places (NRHP), did not identified any historically significant resources on or within 500 feet of the above referenced properties.

Staff review of the County's map of known archaeological sites has identified no known archaeological resources located on or within 500 feet of the above referenced properties. Per Archaeological and Historical Conservancy's (2006) report no known resources were recorded. Per the report deeply buried resources could not be accounted for. As such a Certificate to Dig (CTD) will be required for any excavation of soils to a depth greater than two feet. The timing of the CTD will be addressed during the zoning/development review process.

However, should any artifacts or skeletal remains be encountered during construction, per Article 9 of Unified Land Development Code, the developer is required to stop soil disturbing activities and contact the County Archaeologist.

Should you have any questions or comments, please contact me at (561) 233-5331.

Sincerely,

Christian Davenport, MA, RPA  
County Historic Preservation Officer/Archeologist

June 9, 2015

Mr. Chris Davenport, County Archeologist  
Palm Beach County Planning Department  
2300 North Jog Road, 2<sup>nd</sup> Floor  
West Palm Beach, FL 33411



Urban Planning and Design  
Landscape Architecture  
Communication Graphics

**Submitted Via Electronic Mail [cdavenpo@pbcgov.org](mailto:cdavenpo@pbcgov.org)**

**Re: Historic Preservation Data & Analysis Requirements  
Future Land Use Amendment Request – Indian Trails Grove  
UDKS File No. 14-003.000**

Dear Mr. Davenport,

Urban Design Kilday Studios, on behalf of Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner, is planning to submit a Large Scale Future Land Use Atlas (FLUA) Amendment application for a 4,929.304 +/- acre parcel of property located in the unincorporated area of Palm Beach County (PBC). The subject property is located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. Enclosed with this letter is an aerial with the subject property bounded in a red, dashed line. The Property Control Number's (PCN's) of the subject property are as follows:

- 00-39-42-25-00-000-1000
- 00-40-42-17-00-000-7000
- 00-40-42-18-00-000-7000
- 00-40-42-19-00-000-9000
- 00-40-42-20-00-000-9000
- 00-40-42-21-00-000-9000
- 00-40-42-22-00-000-1010
- 00-40-42-27-00-000-9000
- 00-40-42-30-00-000-9000
- 00-40-42-31-00-000-9000
- 00-40-42-34-00-000-1010
- 00-40-43-03-00-000-3020
- 00-40-43-04-00-000-9010

The applicant is requesting to amend the FLUA designation of the subject property from Agricultural Production (AP), in part, and Rural Residential, 1 unit per 10 acres (RR-10), in part, to Rural Residential, 1 unit per 1.25 acres (RR-1.25), in whole. Note that the applicant is requesting to create the RR-1.25 FLUA designation through a concurrent Comprehensive Plan Text Amendment application. Ultimately the applicant is requesting to allow 3,943 residential units and 225,000 square feet (s.f.) of retail uses.

The purpose of this letter is to request verification of architecturally significant or archaeological resources on or within 500 feet of the subject property. I am specifically requesting information from your office in order to comply with sub-section

---

610 Clematis Street  
Suite CU02  
West Palm Beach, FL 33401  
561.366.1100 561.366.1111 fax  
[www.udkstudios.com](http://www.udkstudios.com)  
LCC000035

---

VIII.G of the PBC FLUA Application 2015. For reference, attached are letters received from the Florida Department of State, Division of Historical Resources in 2006 stating that there were no previously recorded cultural resources were listed in the Florida Master Site File for these parcels.

Please feel free to call me at the number above or email me at [cbarry@udkstudios.com](mailto:cbarry@udkstudios.com) if you have any questions or require further information.

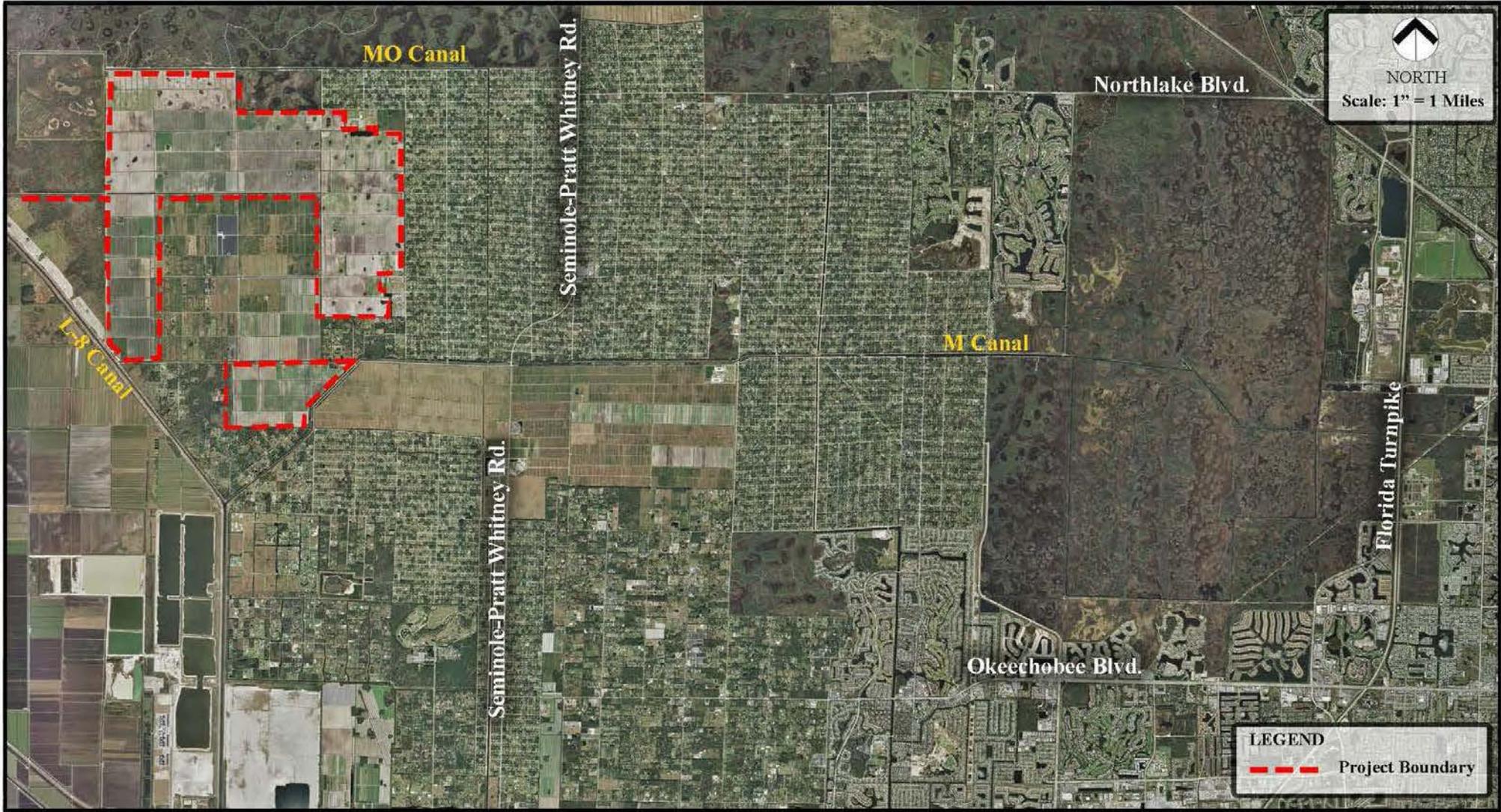
Sincerely,

A handwritten signature in blue ink that reads "Christopher P. Barry". The signature is written in a cursive style with a large initial 'C'.

Chris Barry, AICP CUD, Senior Planner

**Attachments:** Aerial  
2006 Letters from Florida Department of State, Division of Historical Resources

**CC:** Kevin Ratterree, Vice President, Palm Beach West I Corporation, General Partner





FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R40E, Sections 17, 18, 19, 20, 21, 22, 27, 30, 31 & 34

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
- As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Marie Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
R. A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439  
State SunCom: 205-6440  
Email: [fmsfile@dos.state.fl.us](mailto:fmsfile@dos.state.fl.us)  
Web: <http://www.dos.state.fl.us/dhr/msff>

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Archaeological Research  
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Historic Preservation  
(850) 245-6333 • FAX: 245-6437

Historical Museums  
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Palm Beach Regional Office  
(361) 279-1475 • FAX: 279-1476

St. Augustine Regional Office  
(904) 825-5045 • FAX: 825-5044

Tampa Regional Office  
(813) 272-8843 • FAX: 272-2840



FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T42S, R39E, Sections 25 & 26

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
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Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
R. A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439  
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- |   |  |  |   |
|---|--|--|---|
| <input type="checkbox"/> Director's Office<br>(850) 245-6300 • FAX: 245-6435          | <input type="checkbox"/> Archaeological Research<br>(850) 245-6444 • FAX: 245-6436       | <input type="checkbox"/> Historic Preservation<br>(850) 245-6333 • FAX: 245-6437 | <input type="checkbox"/> Historical Museums<br>(850) 245-6400 • FAX: 245-6433 |
| <input type="checkbox"/> Palm Beach Regional Office<br>(561) 279-1475 • FAX: 279-1476 | <input type="checkbox"/> St. Augustine Regional Office<br>(904) 825-5045 • FAX: 825-5044 | <input type="checkbox"/> Tampa Regional Office<br>(813) 272-3843 • FAX: 272-2340 |   |

JUN-16-2006 17:28

P.05



FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

June 16, 2006

Joseph Mankowski  
Archaeological and Historical Conservancy, Inc.  
4800 SW 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mankowski:

In response to your inquiry of June 16, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R40E, Sections 3 & 4

In interpreting the results of our search, please remember the following points:

- Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.
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Sincerely,

*Celeste Ivory*

Marie Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
R. A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439  
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(850) 245-6300 • FAX: 245-6435

Archaeological Research  
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Palm Beach Regional Office  
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St. Augustine Regional Office  
(904) 825-5045 • FAX: 825-5044

Tampa Regional Office  
(813) 272-3843 • FAX: 272-2340



FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller  
Archaeological and Historical Conservancy  
4800 S.W. 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-0954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R39E, Section 1

In interpreting the results of our search, please remember the following points:

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Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
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Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850 245-6439  
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Web: <http://www.dos.state.fl.us/dhr/mstf>

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<input checked="" type="checkbox"/> Director's Office (850) 245-6300 • FAX: 245-6435	<input type="checkbox"/> Archaeological Research (850) 245-6444 • FAX: 245-6406	<input type="checkbox"/> Historic Preservation (850) 245-6339 • FAX: 245-6437	<input type="checkbox"/> Historical Museums (850) 245-6400 • FAX: 245-6433
<input type="checkbox"/> Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476	<input type="checkbox"/> Ft. Augustine Regional Office (904) 875-3043 • FAX: 823-3044	<input type="checkbox"/> Tampa Regional Office (813) 272-3343 • FAX: 272-7341	

JUL-11-2006 12:45

P.03



FLORIDA DEPARTMENT OF STATE  
Sue M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller  
Archaeological and Historical Conservancy  
4800 S.W. 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

Dear Mr. Mueller:

In response to your inquiry of July 11, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T43S, R40E, Sections 2, 5 & 6

In interpreting the results of our search, please remember the following points:

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Division of Historical Resources  
R. A. Gray Building  
500 South Dronough Street  
Tallahassee, Florida 32399-0750

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Director's Office  
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Archaeological Research  
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FLORIDA DEPARTMENT OF STATE  
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July 11, 2006

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<input type="checkbox"/> Director's Office (850) 245-6333 • FAX: 245-6435	<input type="checkbox"/> Archaeological Research (850) 245-6442 • FAX: 245-6436	<input type="checkbox"/> Historic Preservation (850) 245-6338 • FAX: 245-6437	<input type="checkbox"/> Historical Museums (850) 245-6400 • FAX: 245-6438
<input type="checkbox"/> Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476	<input type="checkbox"/> St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044	<input type="checkbox"/> Tampa Regional Office (813) 272-3643 • FAX: 272-2340	



FLORIDA DEPARTMENT OF STATE  
Sun M. Cobb  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

July 11, 2006

Bradley M. Mueller  
Archaeological and Historical Conservancy  
4800 S.W. 64<sup>th</sup> Ave., Suite 107  
Davie, FL 33314  
Fax: (954) 792-9954

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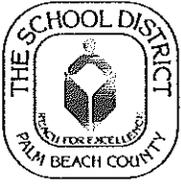
Sincerely,

Celeste Ivory  
Archaeological Data Analyst, Florida Master Site File  
Division of Historical Resources  
R. A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Phone: 850-245 6440, Fax: 850-245-6439  
State SunCom: 205-6440  
Email: [fmr/file@dos.state.fl.us](mailto:fmr/file@dos.state.fl.us)  
Web: <http://www.dos.state.fl.us/dhr/masff>

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| <input type="checkbox"/> Palm Beach Regional Office<br>(561) 279-1476 • FAX: 279-1476 | <input type="checkbox"/> St. Augustine Regional Office<br>(904) 825-3049 • FAX: 825-8044 | <input type="checkbox"/> Tampa Regional Office<br>(813) 272-8603 • FAX: 272-2340 |   |



**THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FL**

PLANNING AND INTERGOVERNMENTAL RELATIONS  
3300 FOREST HILL BLVD., SUITE B-102  
WEST PALM BEACH, FL 33414

PHONE: 561-434-8020 / FAX: 561-434-8815  
[WWW.PALMBEACHSCHOOLS.ORG/PLANNING](http://WWW.PALMBEACHSCHOOLS.ORG/PLANNING)

**KRISTIN K. GARRISON, A.I.C.P.**  
DIRECTOR

**MICHAEL J. BURKE**  
CHIEF OPERATING OFFICER

**STEVEN G. BONINO**  
CHIEF OF SUPPORT OPERATIONS

July 23, 2015

Mr. Chris Barry, AICP  
Urban Design Kilday Studios  
610 Clematis, Suite CU02  
West Palm Beach, FL 33401

**RE: FUTURE LAND USE ATLAS AMENDMENT FOR INDIAN TRAILS GROVE**

Dear Mr. Barry:

The Palm Beach County School District has reviewed the above referenced future land use map amendment (FLU). The FLU request is from Agricultural Production (AP) in part, and Rural Residential of 1 unit per 10 acres (RR-10) in part, to Rural Residential of 1 unit per 1.25 acres (RR-1.25) in whole.

As indicated in the application the subject property is 4,929.304 acres in size and is located in the unincorporated area of Palm Beach County. The subject site is located approximately 2 miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. The existing future land use permits a maximum of 365 units while the proposed future land use will allow a maximum of 3,943 units. The net increase is 3,578 units as a result of the requested FLU.

According to the School District's adopted student multipliers, there would be 1,038 potential students generated from the proposed land use change (537-elementary school, 215-middle school, 286-high school). The following table shows projected school enrollments for school year 2015/16 and 2019/20 as well as the projected utilizations with additional students generated from the subject property for the schools currently serving the property.

Schools	Capacity	Enrollment (15/16)	Enrollment (19/20)	New Students From the Subject Property	Utilization (15/16)	Utilization (19/20)
Frontier Elementary	900	551	520	537	121%	117%
Osceola Creek Middle	1075	607	651	215	77%	81%
Seminole Ridge High	2463	2321	2086	286	106%	96%

Note: Utilization = (Enrollment + New Students from the Subject Property) / Capacity

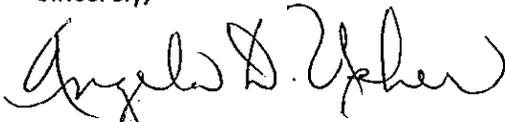
Since this is a future land use amendment request, utilization at adjacent schools were not reviewed. The table shows the elementary school utilization exceeding 100% in the school year 2015/2016 and the school year 2019/2020 and the high school in 2015/2016. The projections do not factor in as yet the impacts from approved developments. This will be done this upcoming year closer to their schedule for development.

This FLU amendment will require mitigation from the developer for public schools in some form in order to keep the schools from becoming overcrowded resulting from the direct impacts from the subject FLU. A preliminary meeting with the developer indicated land being dedicated to the School Board for public schools. School District staff would like an opportunity to further discuss mitigation prior to the Board of County Commissioners' public hearing on the subject FLU amendment.

Please also be advised that school age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries.

If you have any questions regarding this letter, please feel free to contact me at (561) 882-1937.

Sincerely,



Angela D. Usher, AICP  
Manager

cc: Lorenzo Aghemo, Palm Beach County Planning Department  
Steve Bonino, School District of Palm Beach County  
Kristin Garrison, School District of Palm Beach County  
Jason Link, School District of Palm Beach County

July 15, 2015

Joyce C. Cai, Senior Planner  
Planning Department, Land Use Review & Concurrency  
The School District of Palm Beach County, Florida  
3300 Forest Hill Boulevard, C-110  
West Palm Beach, FL 33406  
Phone: (561) 434-8876



Urban Planning and Design  
Landscape Architecture  
Communication Graphics

**Submitted Via Electronic Mail to [cai@palmbeach.k12.fl.us](mailto:cai@palmbeach.k12.fl.us)**

**Re: Adequate School Facilities Determination  
Future Land Use Amendment Request – Indian Trails Grove  
UDKS File No. 14-003.000**

Dear Ms. Cai,

Urban Design Kilday Studios, on behalf of Palm Beach West Associates I, LLLP by Palm Beach West I Corporation, General Partner, is planning to submit a Large Scale Future Land Use Atlas (FLUA) Amendment application for a 4,929.304 +/- acre parcel of property located in the unincorporated area of Palm Beach County (PBC). The subject property is located approximately two (2) miles west of the intersection of Seminole Pratt Whitney Road and Orange Boulevard. Enclosed with this letter is an aerial with the subject property bounded in a red, dashed line. The Property Control Number's (PCN's) of the subject property are as follows:

- 00-39-42-25-00-000-1000
- 00-40-42-17-00-000-7000
- 00-40-42-18-00-000-7000
- 00-40-42-19-00-000-9000
- 00-40-42-20-00-000-9000
- 00-40-42-21-00-000-9000
- 00-40-42-22-00-000-1010
- 00-40-42-27-00-000-9000
- 00-40-42-30-00-000-9000
- 00-40-42-31-00-000-9000
- 00-40-42-34-00-000-1010
- 00-40-43-03-00-000-3020
- 00-40-43-04-00-000-9010

The applicant is requesting to amend the FLUA designation of the subject property from Agricultural Production (AP), in part, and Rural Residential, 1 unit per 10 acres (RR-10), in part, to Rural Residential, 1 unit per 1.25 acres (RR-1.25), in whole. Note that the applicant is requesting to create the RR-1.25 FLUA designation through a concurrent Comprehensive Plan Text Amendment application. Ultimately the applicant is requesting to allow 3,943 residential units and 225,000 square feet (s.f.) of retail uses.

The purpose of this letter is to request a written response from your office on the following relative to the residential density and commercial intensity:

- Confirmation of the Concurrency Service Area (CSA);

- Confirmation of the number of (1) elementary school students, (2) middle school students and (3) high school students generated by the 3,943 residential units;
- Confirmation of the (1) elementary school, (2) middle school and (3) high school that the students from this property would attend;
- Confirmation of the (1) capacity, (2) enrollment, (3) students from subject property and adjacent developments and (4) the projected utilization of each of the above schools; and
- Confirmation that there is currently adequate capacity to accommodate the project at the adopted levels of service.

Please feel free to call me at the number above or email me at [cbarry@udkstudios.com](mailto:cbarry@udkstudios.com) if you have any questions or require further information.

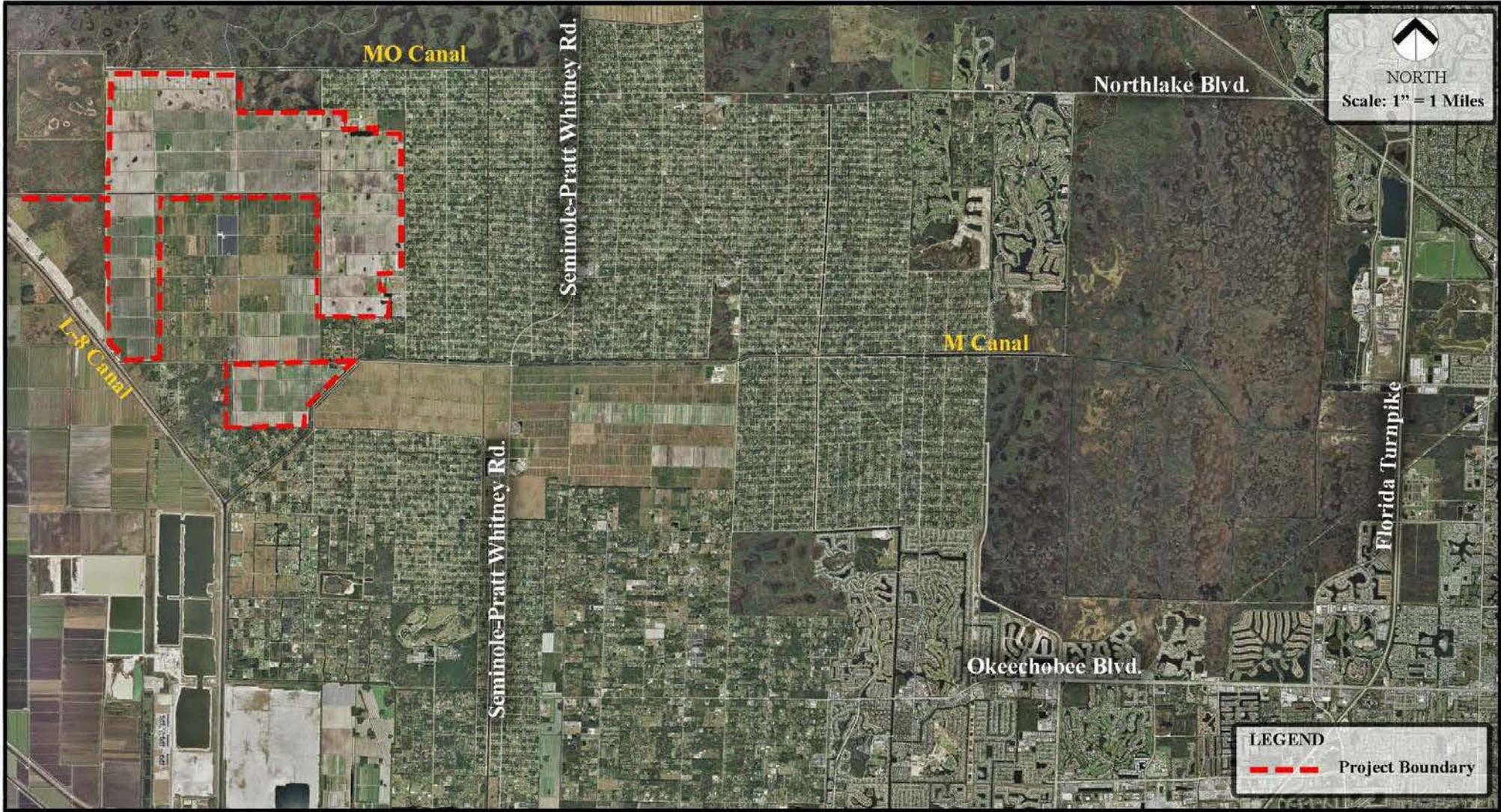
Sincerely,



Chris Barry, AICP CUD, Senior Planner

**Attachments:** Aerial  
Completed "School Concurrency Application & Service Provider Form"

**CC:** Kevin Ratterree, Vice President, Palm Beach West I Corporation, General Partner





INDIAN TRAILS GROVE  
FLUA MASTER PLAN

JULY 15, 2015

**BOUNDARY**

**COMMERCIAL**  
(RETAIL, OFFICE, RESTAURANTS, ETC)

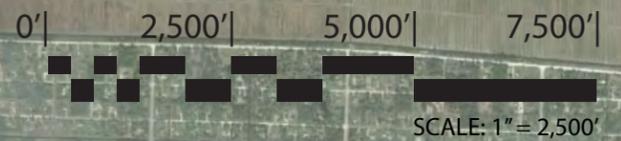
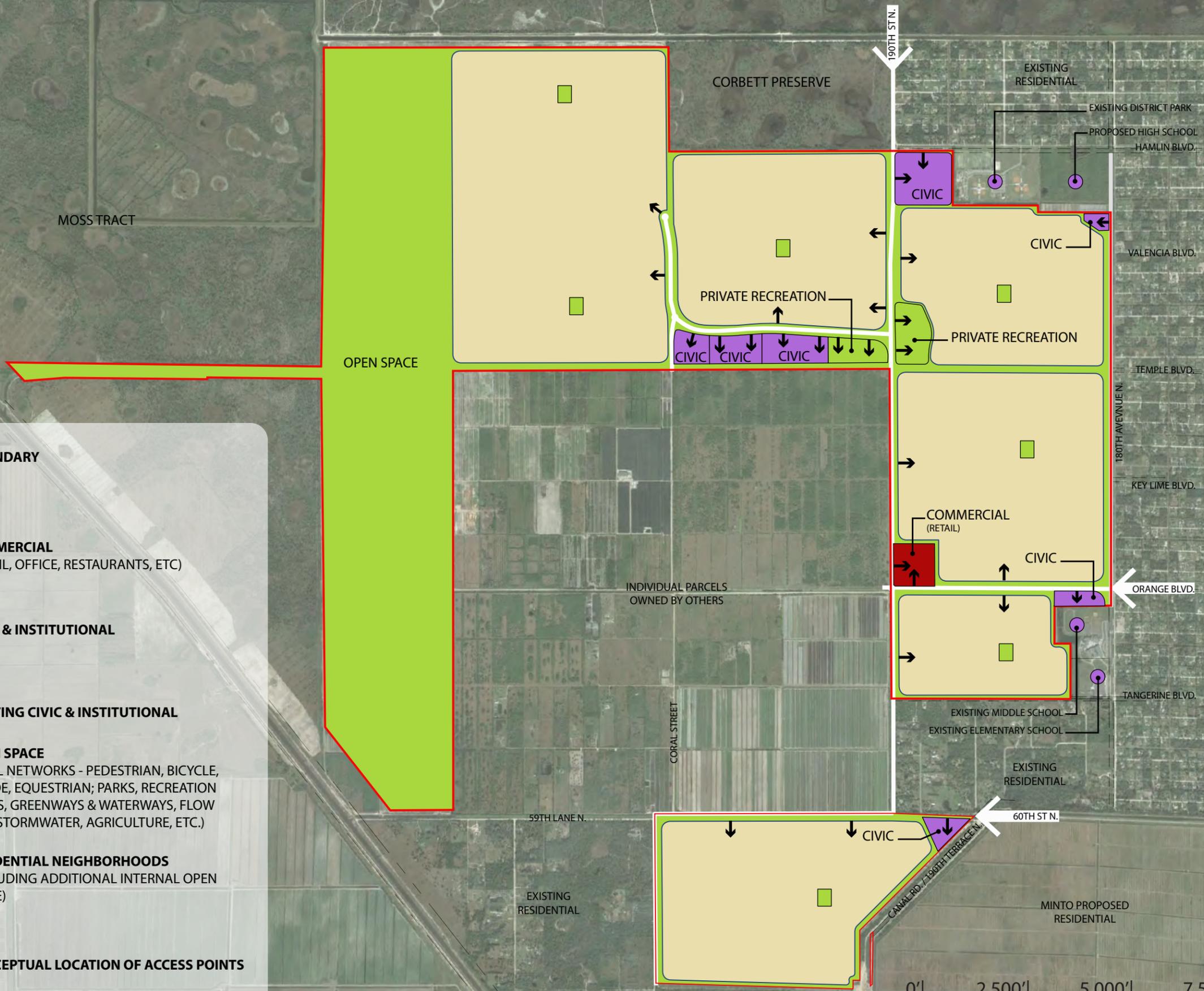
**CIVIC & INSTITUTIONAL**

**EXISTING CIVIC & INSTITUTIONAL**

**OPEN SPACE**  
(TRAIL NETWORKS - PEDESTRIAN, BICYCLE, CANOE, EQUESTRIAN; PARKS, RECREATION AREAS, GREENWAYS & WATERWAYS, FLOW WAY, STORMWATER, AGRICULTURE, ETC.)

**RESIDENTIAL NEIGHBORHOODS**  
(INCLUDING ADDITIONAL INTERNAL OPEN SPACE)

**CONCEPTUAL LOCATION OF ACCESS POINTS**



NORTH

