

RESOLUTION NO. R-83-1459

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF GREENACRES TO REZONE PROPERTY AFTER ANNEXATION, PURSUANT TO SECTION 171.062, FLORIDA STATUTES, AND CITY OF GREENACRES RESOLUTION NO. 83-18.

WHEREAS, by its Resolution No. 83-18, the City of Greenacres has requested permission from the Board of County Commissioners of Palm Beach County, Florida to rezone the property described therein after annexation of same into the Corporate Limits of the City; and

WHEREAS, the subject property is currently zoned AR - Agricultural Residential and is subject to the Palm Beach County Comprehensive Land Use Plan; and

WHEREAS, the City of Greenacres proposes to rezone the property to SR - Single Family Residential to allow the Petitioner to develop the parcel for residential purposes with a density of four to six units per acre; and

WHEREAS, the Comprehensive Land Use Plan identifies the subject site as having a very low to low land use designation with a density range of one unit for each two and one-half (2½) acres up to three dwelling units per acre, provided that the project meets all mandatory performance standards; and

WHEREAS, the Intergovernmental Coordination Element Section of the Palm Beach County Comprehensive Plan (Ordinance 80-8 as amended by Ordinances 81-27 and 82-26) provides that the Board of County Commissioners may find the proposed waiver request compatible with the Plan if the uses and/or densities proposed will have no significant impact upon County Systems, or such impact is mitigated by compliance with Performance Standards equal to those adopted as part of the County's Comprehensive Plan, or other adopted ordinance which, simultaneously with the development of the annexed area, will fully meet all performance criteria in terms of the impact upon County Systems; and

WHEREAS, the Planning, Zoning and Building Department has reviewed the request and has determined that the City's proposed rezoning to SR - Single Family Residential is not entirely consistent with the County's Land Use Plan designation of very low to low. The City's proposed SR zoning allows a density of four to six dwelling units per acre while the County's Land Use designation of AR zoning for very low to low land use allows a maximum density of three units per acre in

a Planned Unit Development, as outlined in the August 24, 1983 memo of the Planning Department, attached hereto and made a part hereof; and

WHEREAS, the owner of the property has entered into an agreement with the City of Greenacres and Palm Beach County whereby any impact from the proposed development would be mitigated by the property owner's construction of certain roadway improvements, said agreement having been adopted by the Board of County Commissioners in its regular session on the 20th day of September, 1983, a copy of which is attached hereto and made a part hereof; and

WHEREAS, Section 171.062, Florida Statutes, requires that when a city desires to rezone property which was previously subject to County Land Use Control, that the City must request and receive permission for such change from the Board of County Commissioners of the respective County; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

1. The foregoing recitals are hereby affirmed and ratified.
2. This Board has determined that the rezoning and subsequent density change proposed by the City of Greenacres will have no significant impact upon County Systems, provided that the terms of the above-referenced agreement, a copy of which is enclosed herein and made a part hereof, are fulfilled.
3. The request of the City of Greenacres in its Resolution No. 83-18, attached hereto and made a part hereof, is hereby approved.

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

PEGGY B. EVATT	AYE
KENNETH G. SPILLIAS	AYE
DENNIS P. KOEHLER	ABSENT
DOROTHY H. WILKEN	NAY
BILL BAILEY	AYE

The Chairman thereupon declared the resolution duly passed and adopted this 8th day of November, 1983.

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *Forest A. Chapman*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John G. Galt
County Attorney

FILED THIS: NOV 8 1983. DAY OF

AND RECORDED IN RESOLUTION

MINUTE BOOK NO. 318 AT

PAGE 186-233 RECORD VERIFIED

JOHN B. DUNKLE, CLERK

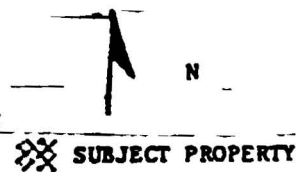
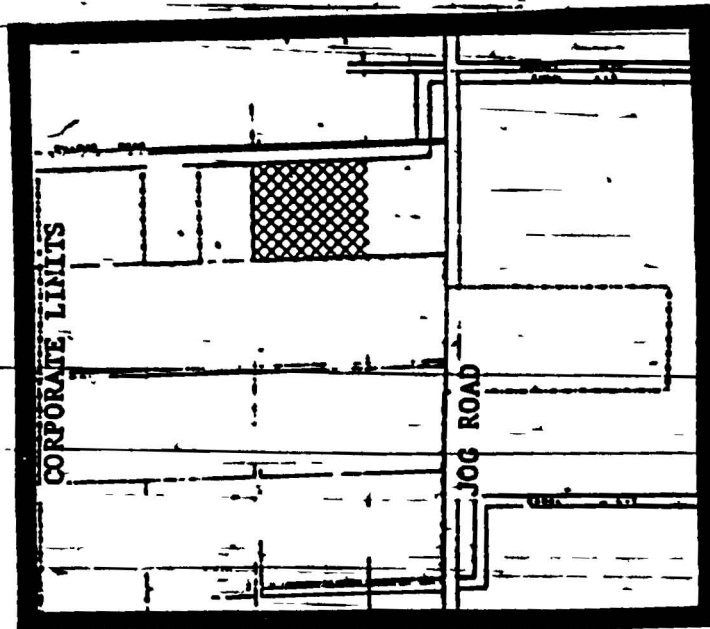
BY *Grace Miller* D.C.

R 83 1459

PLANNING AND ZONING DEPARTMENT

GREENACRES CITY

ANX-82-5



PETITIONER - Olive Tree Corporation

LOCATION - A 10.5 acre parcel located approximately 500 ft. west of Jog Road, south of Dillman Road.

LEGAL DESCRIPTION - Tract 2, Block 14, Together with a 30-Foot Platfied Right-of-way Lying Between Tracts 2 and 3, Palm Beach Farms Company Plat No. 3, According to Plat Book 2, Page 47, of the Public Records of Palm Beach County, Florida. Containing 10.479 acres, more or less.

REQUEST - Annexation into Greenacres City.

R 83 1459

BOOK 318 189

ANX-82-5 (continued)

EXISTING LAND USE - SF Residential

SURROUNDING LAND USES - North - SF home and church
South - Vacant
East - SF homes and church
West - SF homes

EXISTING ZONING - AG (Agricultural) P.B. County

COMPLIANCE WITH COMPREHENSIVE PLAN - GREENACRES CITY.

LAND USE ELEMENT - Although the petitioner is not seeking zoning at this time, the subject property is recommended for Low Density Residential outside the City boundaries of the map.

ANNEXATION - The subject petition is consistent with the adopted Plan policies of promoting orderly growth; support annexations which have available adequate provision of services; the elimination of unincorporated enclaves.

COMPLIANCE WITH COMPREHENSIVE PLAN - PALM BEACH COUNTY.

The Palm Beach County Plan recommends this area for Very Low to Low Density Residential. The density range for this Plan category is One (1) dwelling unit for each 2 1/2 acres to three (3) dwelling units per acre.

LAND DEVELOPMENT STAFF REVIEW.

The Land Development Staff reviewed the proposed annexation and found no objections to the proposed annexation petition. Services for the proposed annexation are adequate in this area; therefore, the Land Development Staff would recommend approval of the annexation.

PLANNING AND ZONING DEPARTMENT RECOMMENDATION.

The Planning and Zoning Department recommends approval of the proposed annexation petition as it is consistent with the adopted Comprehensive Plan and that it is a logical extension of the boundaries of Greenacres City.

R 83 1459

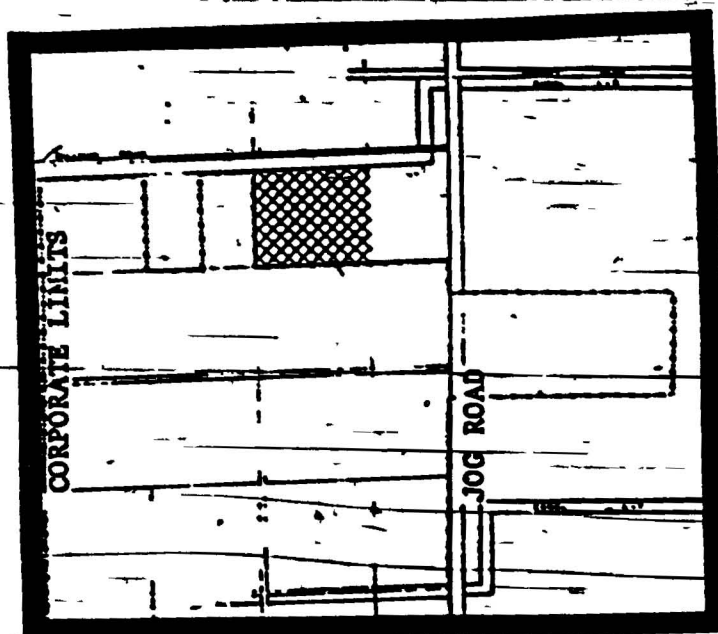
PLANNING AND ZONING COMMISSION RECOMMENDATION

ACTION TAKEN Moved by Mr. Clendon, seconded by Mr. Orza that regarding ANX-82-5, the Planning and Zoning Commission recommend approval to the City Council, as it is consistent with the adopted Comprehensive Land Use Plan, and it is a logical extension of the boundaries of Greenacres City. Motion carried unanimously.

PLANNING AND ZONING DEPARTMENT

GREENACRES CITY

ANX-82-3



N

XX SUBJECT PROPERTY

PETITIONER - Olive Tree Corporation

LOCATION - A 10.5 acre parcel located approximately 500 ft. west of Jog Road, south of Dillman Road.

LEGAL DESCRIPTION - Tract 2, Block 14, Together with a 30-Foot Platted Right-of-way lying between Tracts 2 and 3, Palm Beach Farms Company Plat No. 3, According to Plat Book 2, Page 47, of the Public Records of Palm Beach County, Florida. Containing 10.479 acres, more or less.

REQUEST - Annexation into Greenacres City.

R & 3 1459

BOOK 318 191

"ANX-82-5 (continued)

EXISTING LAND USE - SF Residential

SURROUNDING LAND USES - North - SF home and church
South - Vacant
East - SF homes and church
West - SF homes

EXISTING ZONING - AG (Agricultural) P.B. County

COMPLIANCE WITH COMPREHENSIVE PLAN - GREENACRES CITY,

LAND USE ELEMENT - Although the petitioner is not seeking zoning at this time, the subject property is recommended for Low Density Residential outside the City boundaries of the map.

ANNEXATION - The subject petition is consistent with the adopted Plan policies of promoting orderly growth; support annexations which have available adequate provision of services; the elimination of unincorporated enclaves.

COMPLIANCE WITH COMPREHENSIVE PLAN - PALM BEACH COUNTY.

The Palm Beach County Plan recommends this area for Very Low to Low Density Residential. The density range for this Plan category is One (1) dwelling unit for each 2½ acres to three (3) dwelling units per acre.

LAND DEVELOPMENT STAFF REVIEW.

The Land Development Staff reviewed the proposed annexation and found no objections to the proposed annexation petition. Services for the proposed annexation are adequate in this area; therefore, the Land Development Staff would recommend approval of the annexation.

PLANNING AND ZONING DEPARTMENT RECOMMENDATION.

R 83 1459

The Planning and Zoning Department recommends approval of the proposed annexation petition as it is consistent with the adopted Comprehensive Plan and that it is a logical extension of the boundaries of Greenacres City.

PLANNING AND ZONING COMMISSION RECOMMENDATION

ACTION TAKEN: Moved by Mr. Cleason, seconded by Mr. Orza that regarding ANX-82-5, the Planning and Zoning Commission recommend approval to the City Council, as it is consistent with the adopted Comprehensive Land Use Plan, and it is a logical extension of the boundaries of Greenacres City. Motion carried unanimously.

SA - Study Area	10.47 ± acres
ER - Estates Residential	111.04 ± acres
SR - Single Family Residential	66.33 ± acres
CC - Commercial	13.86 ± acres
LI - Limited Industrial	28.23 ± acres
MR - Multiple Family Residential	107.2 ± acres

Total 137.65 acres

EXHIBIT 9A

EXISTING ZONING

Palm Beach Pines State Park

Okecheelee County Park

SA

男

SR

1

五

NOT INCLUDED

R-83

1459

EXISTING ZONING

A Residential Development in Greenacres City, Palm Beach County, Florida
Pine Grove Corporation & Olive Tree Corporation



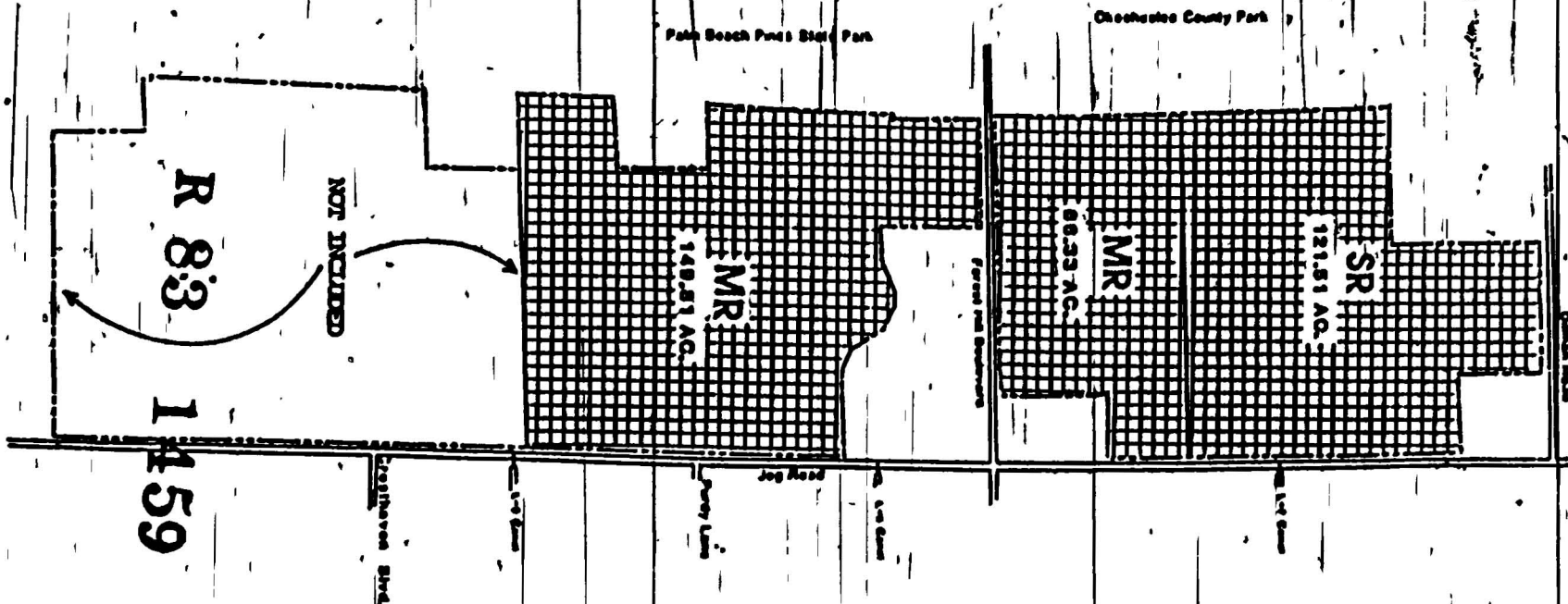
GEE & JENSON
Engineers Architects
Planners Inc.

Scale:
0 40



Legend - (As per City Code, Section 32-19)
 SR - Single Family Residential
 MR - Multiple Family Residential

EXHIBIT "B"
 PROPOSED REZONING



BOOK 318 194

PROPOSED REZONING

A Residential Development in Greenacres City, Palm Beach County, Florida
 Pine Grove Corporation & Olive Tree Corporation

GEE & JENSON
 Engineers, Architects
 Palm Beach, Fla.

Scale:
 0 400 800 1200



PLANNING AND ZONING DEPARTMENT
GREENACRES CITY

CP-83-2

ZC-83-2

PETITIONER: Pine Grove/Olive Tree Corporation, a wholly-owned subsidiary of Mobil Oil Corporation.

LOCATION: West of Joy Road, from approximately Tenth Avenue North, north to Dillman Road.

LEGAL DESCRIPTION: (See Zoning Change Application, Section I.1.)

REQUESTS: CP-83-2 - Request to amend the Greenacres City Comprehensive Plan Land Use Element in an area recently annexed, to a Low Density Residential (SR) land use category, approximately 10 acres in size.

ZC-83-2 - Request to rezone approximately 337 acres of land to the following:

AG to SR -	10.47 Acres
ER to SR -	111.04 Acres
SR to MR -	66.33 Acres
GC to MR -	13.88 Acres
LI to MR -	28.23 Acres
HR to MR -	107.70 Acres

TOTAL 337.65 Acres

SURROUNDING LAND USES - NORTH - Vacant land, Church, large lot single family homes.

East - Church, single family homes, vacant land, Juggers Run, mobile home park, The Pines, Pine Ridge North and vacant commercial.

West - Okaheales Park, Palm Beach Pines State Park.

South - Lucerne Park Planned Unit Development.

COMPLIANCE WITH GREENACRES CITY COMPREHENSIVE PLAN.

LAND USE ELEMENT. The proposed amendment to the Comprehensive Plan is consistent with the low density residential category assigned to this area outside the corporate limits.

The proposed rezoning implements the low density and medium density residential categories assigned to this land area. The proposed rezoning also eliminates several inconsistencies between the Zoning Map and the Comprehensive Plan Land Use Element by removing GC and LI zoned areas and placing them in a residential land use category.

R 83 1459

BOOK 318 195

CP-83-2, ZC-83-2 (Continued)

ADDITIONAL INFORMATION.

Attached are five (5) exhibits which represent the land area involved in petitions CP-83-2 and ZC-83-2. They are the following:

1. Exhibit "A" - Existing Zoning Map - Greenacres City;
2. Exhibit "B" - Proposed rezoning, Pine Grove/Olive Tree Corporation;
3. Exhibit "C" - Adopted Comprehensive Plan Land Use Element with proposed rezoning requests superimposed;
4. Exhibit "D" - Letter from Mr. Doran Beagquist, re: proposed amendment to Comprehensive Plan Land Use Element.
5. Exhibit "E" - Proposed amendment to the Comprehensive Plan Land Use Element for 10.47 acres for a recently-zoned parcel of land to Low Density Residential.

LAND DEVELOPMENT STAFF RECOMMENDATION

The Land Development Staff recommends approval of the proposed rezonings as they are consistent with the existing Comprehensive Plan.

PLANNING AND ZONING DEPARTMENT RECOMMENDATION

The Planning and Zoning Department recommends approval of ZC-83-2 as it is consistent with the adopted Greenacres City Comprehensive Plan Land Use Element and implements those land use designations of Single Family Residential and Medium Density Residential. In addition, the GC, LI and BR portions of the Pine Grove/Olive Tree properties that are currently zoned inconsistent with the Comprehensive Plan will be made consistent with the Medium Density Residential zoning category.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended unanimous approval of ZC-83-2 and CP-83-2 in that they are consistent with the existing adopted Comprehensive Plan Land Use Element.

R 83 1459

7B-9

Inter-Office Communication
PALM BEACH COUNTY

TO Stan Redick Planning Director	DATE August 24, 1983
FROM Richard F. Morley Principal Planner	FILE
RE Annexation/Rezoning Waiver Request Resolution No. 83-18	

The Planning Division has reviewed the above waiver request under Chapter 171.062 Florida Statutes and County Ordinance 82-26, amendment to the intergovernmental coordination element of the County's Comprehensive Plan. The following comments are offered.

Background Information

The City of Greenacres has recently annexed a 18.5 acre parcel located approximately 500 feet west of Jog Road, south of Dillman Road (see map). Ordinance No. 83-38 amended the City's Land Use Plan by designating the land use of the parcel as low density residential, as petitioned by Pine Grove/Olive Tree Corporation. Low density residential allows for 4-6 units per acre.

Land Use Plan Designation and Zoning District

- a) The subject site is presently zoned AR by the County.
- b) The City proposes to rezone the property to SR (Single Family Residential) allowing for four to six units per acre.
- c) There is a significant difference between the County's AR zoning district which allows for one unit per five acres and the City's proposed SR zoning district which allows four to six units per acre.
- d) The County's Land Use Plan identifies the subject site as having a very low to low land use designation with a density range of one (1) dwelling unit for each 2 1/2 acres to three (3) dwelling units per acre.
- e) The City's proposed rezoning to SR (single family residential) is not wholly consistent with the County's Land Use Plan designation of very low to low. The City's SR, single family residential, allows four (4) to six (6) units per acre while the County's very low to low land use designation allows a maximum of three (3) units per acre in a PUD.

K 83 1459

BOOK 318 197

SIGNED _____

Waiver Determination

Although the City's requested SR zoning density of 4-6 units per acre is not wholly consistent with the County's Land Use designation of a maximum of three (3) units per acre in the very low to low classification, the Board of County Commissioners, under the amendment to the intergovernmental coordination element of the Palm Beach County Comprehensive Plan, may find the proposed waiver compatible with the Plan if "the municipality agrees that performance standards equal to those adopted as part of the County's Comprehensive Plan, or other adopted ordinance, will be fully met simultaneously with development of the annexed area in terms of their impact on County systems". In this case, the annexed 18.5 acre parcel is part of Pine Grove/Olive Tree Corporation PUD Development proposal of 4,388 units on 522 acres for the entire project in the City of Greenacres. Performance Standards have been fully met by means of a Roadway Improvements Agreement executed by the City of Greenacres, Palm Beach County, and Mobil Land Development (Florida) Corporation. (See enclosed copy.)

Recommendation

Since the subject annexed 18.5 acre parcel has been included in the DRI process for the entire Pine Grove/Olive Tree Development and a Roadway Improvements Agreement has been reached between the County and City to offset road impacts to satisfy performance standards, it is recommended that the County grant the City of Greenacres the waiver request under Chapter 171.062 F.S.

RPM:cb
Enclosures

R 83 1459

BOOK 318 198

RESOLUTION NO. 83-18

A RESOLUTION OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, REQUESTING PERMISSION FROM THE BOARD OF COUNTY COMMISSIONERS, PURSUANT TO FLORIDA STATUTES 171.062, TO REZONE LAND IN GREENACRES CITY FROM THE COUNTY'S ZONING CLASSIFICATION AG (AGRICULTURAL) TO THE CITY'S ZONING CLASSIFICATION SR (SINGLE FAMILY RESIDENTIAL).

WHEREAS, Greenacres City has received a request for rezoning from the Pine Grove/Olive Tree Corporations, owners of the following described property:

LEGAL DESCRIPTION

TRACT 2, BLOCK 14, TOGETHER WITH A 30.00 FT. FLATTED RIGHT-OF-WAY LYING BETWEEN TRACTS 2 AND 3, PALM BEACH FARMS COMPANY PLAT 3, ACCORDING TO PLAT BOOK 2, PAGE 47, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 10.479+ ACRES, MORE OR LESS. SUBJECT TO EXISTING RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

WHEREAS, the City Council of Greenacres City, at its regular meeting of July 11, 1983, considered this property for an amendment to the Greenacres City Comprehensive Plan Land-Use Element and has amended that area to reflect a Low Density Residential land use, and

WHEREAS, Chapter 171.062, Florida Statutes, requires that when a municipality desires to annex property at a zoning classification, which could permit higher density than is currently in effect under County regulations, that the municipality request and receive permission from the Board of County Commissioners for such a change.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA AS FOLLOWS:

Section 1. That the City Council hereby Requests permission from the Board of County Commissioners of Palm Beach County to rezone the property described above from AG (Agricultural) to SR (Single Family Residential) District which will result in an increase in the density allowed in such land.

Section 2. That a copy of this resolution is being sent to each member of the Board of County Commissioners, the County Administrator and the Director of Planning, Zoning and Building.

RESOLVED this 11th day of July, 1983.

James P. Quigley
JAMES P. QUIGLEY, Mayor

James E. Rawlins, Sr.
JAMES E. RAWLINS, SR., Deputy Mayor

VOICED
(YES)

Attest:

Evelyn L. Whiles
EVELYN L. WHILES, City Clerk

Marshall K. Dan (yes)
MARSHALL K. DAN, Councilman

William E. Perry (yes)
WILLIAM E. PERRY, Councilman

Carl Sacks (yes)
CARL SACKS, Councilman

Robert M. Kelly
APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

Wally Tietze (yes)
WALLY TIETZEHL, Councilman

R-83 1459

AN ORDINANCE OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, ANNEXING CERTAIN LANDS AS PETITIONED BY ORVE TREE CORPORATION, OWNER OF SAID LAND, AND REDEFINING THE BOUNDARY LINES OF GREENACRES CITY, FLORIDA; ZONING THE SAME; PROVIDING FOR CONFLICTING ORDINANCES TO BE REPEALED; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, AS FOLLOWS:

Section 1. The boundary lines of Greenacres City, Florida, are hereby redefined to include the following described real property lying in Palm Beach County, to-wit:

Tract Two, Block 14, together with a thirty foot (30') platted right-of-way lying between Tracts Two and Three, Palm Beach Farms Company Plat 3, according to Plat Book 2, Page 47, of the public records of Palm Beach County, Florida. Containing 10.479 acres, more or less.

and the above-described real property is hereby annexed by Greenacres City, Florida.

Section 2. The above-described land is presently zoned as "AG" (Agricultural) District.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

PASSED on the first reading this 23rd day of August, 1982

PASSED AND ADOPTED on the second reading this 30th day of August, 1982.

JAMES P. QUIGLEY, Mayor

CHARLES G. FLENKE, Deputy Mayor

Attest:

AARON GOMES, City Clerk

JAMES E. HAWLINS, SR., Councilman

MARSHALL K. DAN, Councilman

WILLIAM E. PERRY, Councilman

CARL BACKS, Councilman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

RECORD VERIFIED
PALM BEACH COUNTY, FLA.
JOHN B DUNKLE

82 142884

802 307 -3 M D 88

B3708 P1769

ORDINANCE NO. 83-30

AN ORDINANCE OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, AMENDING THE CITY'S LAND USE PLAN BY DESIGNATING THE LAND USE OF THE PARCEL DESCRIBED HEREIN AS LOW DENSITY RESIDENTIAL, AS PETITIONED BY PINE GROVE/OLIVE TREE CORPORATIONS; REPEALING ALL LAWS IN CONFLICT THEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Greenacres City Council adopted the Greenacres City Comprehensive Plan on October 5, 1981, setting forth the land use designations for certain parcels within Greenacres City, and

WHEREAS, a request has been made to the City to rezone certain land, and

WHEREAS, in conjunction with the rezoning, a change must be made in the land use designation of the parcel described herein, and

WHEREAS, the request for the designation of the parcel described herein as Low Density Residential has been found to be in conformance with surrounding land uses, and

WHEREAS, the City wishes to formally designate the property described herein as Low Density Residential.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, AS FOLLOWS:

Section 1. The land use designation of the parcel of land described hereafter is hereby determined to be Low-Density Residential) and the Land Use Plan for Greenacres City is hereby changed to reflect the land use stated herein. The legal description of the parcel is as follows:

R 83 1459

LEGAL DESCRIPTION

TRACT 2, BLOCK 14, TOGETHER WITH A 30.00 FT. FLATTED RIGHT-OF-WAY LYING BETWEEN TRACTS 2 AND 3, PALM BEACH FARMS COMPANY PLAT 3, ACCORDING TO PLAT BOOK 2, PAGE 47, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

CONTAINING 10.479+ ACRES, MORE OR LESS. SUBJECT TO EXISTING RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

Section 2. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts thereof or parts of the Code conflicting or

inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. SEVERABILITY.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect this remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. EFFECTIVE DATE.

The provisions of this Ordinance shall become effective in accordance with the laws of the State of Florida.

PASSED on the first reading this 27th day of June, 1983.

PASSED AND ADOPTED on the second reading this 11th day of July, 1983.


JAMES P. QUIGLEY, Mayor

 VOTED
(YES)
JAMES E. RAWLINS, SR., Deputy Mayor


 (Yes)
MARSHALL K. DAN, Councilman

Attest:


EVELYN L. WHEELER, City Clerk

 (Yes)
WILLIAM E. PERRY, Councilman

 (Yes)
CARL SACKS, Councilman


APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

 (Yes)
WALLY TIERSCHTEL, Councilman

R 83 1459

PETITIONER: Pine Grove/Olive Tree Corporation, a wholly-owned subsidiary of Mobil Oil Corporation.

LOCATION: West of Jog Road, from approximately Tenth Avenue North, north to Dillman Road.

LEGAL DESCRIPTION: (See Zoning Change Application, Section 1-2.)

REQUESTS: CP-83-2 - Request to amend the Greenacres City Comprehensive Plan Land Use Element in an area recently annexed, to a Low Density Residential (SR) land use category, approximately 10 acres in size.

LAND DEVELOPMENT STAFF RECOMMENDATION

The Land Development Staff recommends approval of the proposed rezonings as they are consistent with the existing Comprehensive Plan.

PLANNING AND ZONING DEPARTMENT RECOMMENDATION

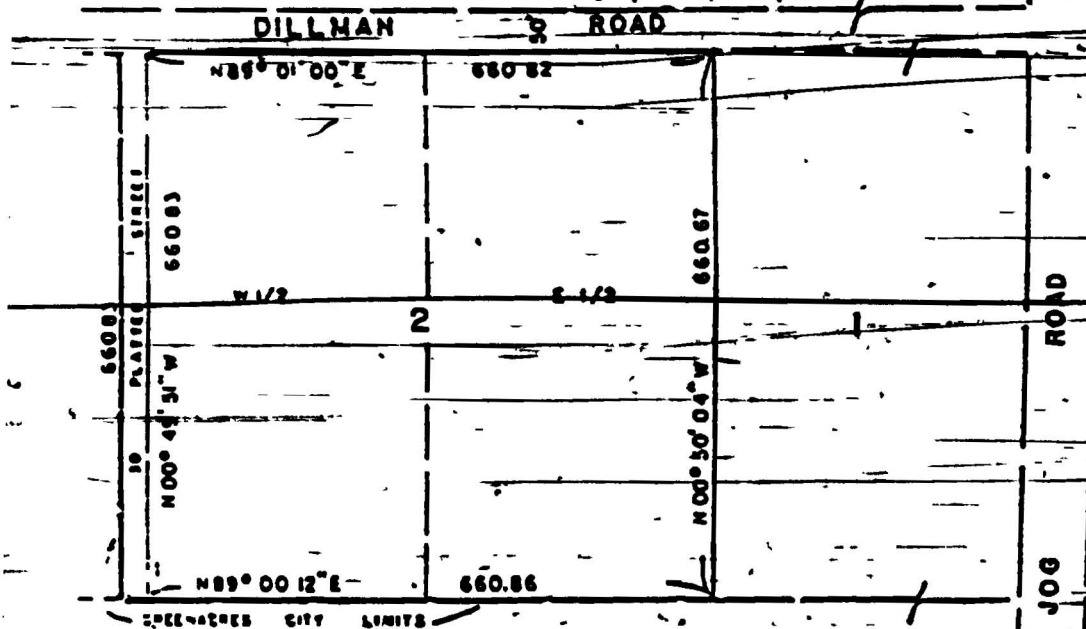
The Planning and Zoning Department recommends approval of ZC-83-2 as it is consistent with the adopted Greenacres City Comprehensive Plan Land Use Element and implements those land use designations of Single Family Residential and Medium Density Residential. In addition, the GC, LI and HR portions of the Pine Grove/Olive Tree properties that are currently zoned inconsistent with the Comprehensive Plan will be made consistent with the Medium Density Residential zoning category.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended unanimous approval of ZC-83-2 and CP-83-2 in that they are consistent with the existing adopted Comprehensive Plan Land Use Element.

EXHIBIT "E"

OWNER: OLIVE TREE CORPORATION
 4440 PCA Boulevard
 Suite 601
 Palm Beach Gardens, Florida 33410



LEGAL DESCRIPTION

TRACT 2, BLOCK 14, TOGETHER WITH A 30.00 FOOT PLATTED
 RIGHT-OF-WAY LYING BETWEEN TRACTS 2 AND 3, PALM BEACH
 FARMS COMPANY PLAT NO. 3, ACCORDING TO PLAT BOOK 2,
 PAGE --, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 10 4/9 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAYS, EASEMENTS, RESTRICTIONS
 AND RESERVATIONS OF RECORD.

ALL IMPROVEMENTS ON ABOVE DESCRIBED PROPERTY NOT SHOWN

I hereby certify that the above
 sketch and legal description was
 plotted and written under my
 direction and was based upon data
 obtained from the Public Records.

Clyde O. McHenry
 Clyde O. McHenry, P.L.S.
 Florida Registration No. 2883
 Date: 4/22/85

GEE & JENSON ENGINEERS-ARCHITECTS-PLANNERS, INC. WEST PALM BEACH, FLORIDA				
SKETCH AND DESCRIPTION of TRACT 2, BLOCK 14 AND 30' R/W PALM BEACH FARMS COMPANY'S PLAT NO. 3				
DESIGNED	DRAWN	CHECKED	BY	DATE
DATE	SCALE	APPROVED	FILE NO.	SHEET OF
4-9-82	1" = 200'			1

RESOLVED this 11th day of July 1983.

[Signature]
JAMES E. RANLINS, Mayor

[Signature]
JAMES E. RANLINS, SR., Deputy Mayor

VOICED
(YES)

[Signature]
MARSHALL K. DAN, Councilman

Attest:

[Signature]
EVELYN L. WHEELER, City Clerk

[Signature]
WILLIAM E. PERCY, Councilman

[Signature]
CHAS. SACKS, Councilman

[Signature]
WALLY FRISCH, Councilman

[Signature]
APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

R-83 1459

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, APPROVING ROADWAY
IMPROVEMENTS AGREEMENT BETWEEN PALM BEACH COUNTY,
PINE GROVE CORPORATION, AND TOWN OF GREENACRES
CITY.

WHEREAS, Pine Grove Corporation has filed an application for
a Planned Unit Development with the Town of Greenacres City, for a
proposed 4,760 unit residential development upon a 522 acre tract of
land lying within the Town of Greenacres City (the "Project"), which, if
developed as proposed, has been determined to be a Development of
Regional Impact (DRI) pursuant to Chapter 380, Florida Statutes; and

WHEREAS, Palm Beach County was invited to provide comment
regarding the Project as a result of the DRI review process, and did so
participate; and

WHEREAS, the Treasure Coast Regional Planning Council
(TCRPC), on July 15, 1983, adopted the DRI Assessment Report, approving
the Project as proposed; and

WHEREAS, the Assessment Report contains recommendations to
the Town of Greenacres City regarding, among other things, improvements
to roadways in the area of the Project; and

WHEREAS, Palm Beach County, Town of Greenacres City and Pine
Grove Corporation have met, discussed and reviewed a broad scope of
roadway improvements planned and desired by Palm Beach County in the
area of the Project, which encompasses the TCRPC recommendations for
roadway improvements and have concluded that it would be mutually
beneficial to jointly participate in accomplishing the broad scope of
improvements identified by Palm Beach County as set forth in the
attached agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the attached Roadway
Improvements Agreement between Palm Beach County, Town of Greenacres
City and Pine Grove Corporation, attached hereto and made a part hereof,
is hereby approved and the Chairman and Clerk of this Board are
authorized, in their respective capacities, to execute said agreement on
behalf of Palm Beach County, Florida.

R 83 1459

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

PEGGY B. EVATT	- Aye
KENNETH G. SPILLIAS	- Aye
DENNIS P. KOEHLER	- Aye
DOROTHY M. WYCKEN	- Nay
BILL BAILEY	- Aye


The Chairman thereupon declared the resolution duly passed and adopted this 20th day of September, 1983.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

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

By 
County Attorney

John B. Dunkle, Clerk

By 
Deputy Clerk



R 83 1459

ROADWAY IMPROVEMENTS AGREEMENT

THIS AGREEMENT is made and entered into as of the 20th day of September, 1983, by, between and among Pine Grove Corporation, a Delaware corporation qualified to do business in the State of Florida, Olive Tree Corporation, a Delaware corporation qualified to do business in the State of Florida, hereinafter collectively referred to as "PINE GROVE", Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and GREENACRES CITY, an incorporated municipality located within Palm Beach County, hereinafter referred to as "CITY".

WHEREAS, PINE GROVE has filed an application for Planned Unit Development with CITY, for a proposed 4760-unit residential development upon a 522 acre tract of land lying within CITY, which, if developed as proposed, has been determined to be a Development of Regional Impact (DRI) pursuant to Chapter 380, Florida Statutes (the "Project"), and

WHEREAS, COUNTY was invited to provide comment regarding the Project as a result of the DRI review process, and did so participate, and

WHEREAS, the Treasure Coast Regional Planning Council (TCRPC), on July 15, 1983, adopted the DRI Assessment Report, approving the Project as proposed, and

WHEREAS, the Assessment Report contains recommendations to CITY regarding, among other things, improvements to roadways in the area of the Project, and

WHEREAS, COUNTY, CITY and PINE GROVE have met, discussed and reviewed a broad scope of roadway improvements planned and desired by COUNTY in the area of the Project, which encompasses the TCRPC recommendations for roadway improvements and have concluded that it would be mutually beneficial to jointly participate in accomplishing the broad scope of improvements identified by COUNTY.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the parties represent, covenant and agree as follows:

1. The recitals hereinabove are true and correct.
2. PINE GROVE agrees to reduce the total number of residential units permitted in the Project to 4300, and to take all steps necessary in order to duly and timely amend its P.U.D. Application to CITY in order to reflect this unit reduction.
3. COUNTY and PINE GROVE agree to assume and execute the obligations specified for each party at the times and in the manner outlined in Schedule A attached hereto and made a part hereof. It is understood and agreed that the obligations of PINE GROVE hereunder are in lieu of and in full substitution for any road impact fees which might otherwise be due and owing to COUNTY or CITY by virtue of Section 37-70 et. seq., Palm Beach County Code, commonly known as the "Fair Share Contribution for Road Improvements Ordinance".

4. In the event that any governmental or private entity other than PINE GROVE accomplishes the road improvements or any portion thereof described in Schedule A in advance of the time set forth therein, then this fact shall not relieve PINE GROVE of its obligation to pay to COUNTY the amount(s) specified to be contributed by PINE GROVE for such work which has been accomplished by others. Any such contribution by PINE GROVE shall then be used by COUNTY solely and exclusively as an aid in finishing first those improvements identified in Schedule "A", then, to the extent that any excess funds exist over and above those required to complete the Schedule "A" improvements, same shall be used solely and exclusively to make additional roadway improvements, the nature, extent and priority of which to be determined jointly by CITY and COUNTY on the basis of need, to the following major thoroughfares:

1. Jog Road
2. Forest Hill Boulevard
3. 10th Avenue North
4. Summit Boulevard
5. Purdy Lane
6. Cresthaven Boulevard.

5. In the event that either a substantial reduction in the total number of units within the Project or substantial delay in development of the Project for whatever reason results in a significant diminution of the Project's anticipated traffic impact, or a delay in the timing of the Project's traffic impact, then the parties hereto shall meet to negotiate the extent of the reduced or delayed impact, and a corresponding reduction or deferral of PINE GROVE's obligations hereunder, if same is appropriate. Prior to said negotiation occurring, PINE GROVE shall deliver to the other parties a traffic analysis prepared by a traffic engineer in a form acceptable to COUNTY.

6. All roadway improvement construction plans for which PINE GROVE is responsible and referred to in Schedule A shall be approved by COUNTY and the Florida Department of Transportation, as appropriate, in accordance with their regular rules and regulations. On COUNTY roads, COUNTY shall coordinate and administer the plan approval process expeditiously, including the issuance of any necessary construction permits, and inspections or supervision at no cost to PINE GROVE. On State roads, COUNTY pledges its full cooperation and assistance to PINE GROVE in expediting the plan approval process. CITY also agrees to cooperate and assist PINE GROVE as may be necessary to secure all roadway construction permits.

7. Signalization at the Project's entrances on Jog Road and Forest Hill Boulevard shall be accomplished by PINE GROVE at PINE GROVE's sole cost and expense when reasonably warranted as determined by COUNTY, in accordance with sound engineering practices based upon updated traffic studies. COUNTY shall assist PINE GROVE by designing the signals at COUNTY's cost and, if PINE GROVE elects, administering the installation of same through COUNTY's annual signal installation contract in order to minimize the cost to PINE GROVE.

8. All turn lanes and road signage necessary to serve the Project entrances as determined by sound engineering practices are understood to be included in the construction program outlined in Schedule A.

9. All lump sum payments called for in Schedule A to be made by PINE GROVE to COUNTY shall be made during the first quarter of the calendar year in which the associated construction is scheduled. At PINE GROVE's option, this payment may be made by delivery of an irrevocable letter of credit or payment bond to COUNTY in an amount equal to the particular lump sum payment called for in Schedule A, which may be drawn upon by COUNTY at such time as the funds are actually required for construction purposes.

R 83

1459

10. The rights, benefits and obligations of PINE GROVE, COUNTY and CITY under this Agreement may not be assigned by any party without the express prior written consent of the other parties, which consent shall not be unreasonably withheld. Provided, however, that such consent shall not be required in the event that PINE GROVE assigns to any entity which is a wholly owned subsidiary of Mobil Corporation. Any permitted assignment hereunder shall include an unconditional written assumption of the assignor's duties and obligations by the assignee.

11. COUNTY and CITY agree that the obligations of PINE GROVE hereunder are expressly subject to and contingent upon the allocation of budget funds to PINE GROVE by its parent company, Mobil Land Development Corporation. In the event that such allocation of funds does not occur on or before March 31, 1984, this Agreement shall become null and void. PINE GROVE shall deliver to COUNTY and to CITY a certification from its parent company confirming such allocation within ten (10) days thereof. Delivery of the said certification by PINE GROVE to COUNTY and to CITY shall constitute "Project Approval" for purposes of this Agreement.

12. COUNTY agrees that any and all monies which are turned over to COUNTY by CITY pursuant to CITY's adoption of its Ordinance 83-34 (which authorizes COUNTY's Fair Share Contribution for Road Improvements Ordinance within City limits) shall be used solely and exclusively by COUNTY in accordance with the recommendations of Resolution No. 83-25 of CITY (attached hereto collectively as Schedule "B") in conjunction with the roadway improvements outlined in Schedule A. Any such sums so collected and paid to COUNTY shall not serve to reduce the obligations of PINE GROVE under this Agreement.

13. This Agreement may be modified or amended only by a written agreement executed by each of the parties hereto. The terms and conditions herein constitute the entire agreement between the parties hereto and any representations not contained herein shall be null and void and of no force or effect.

14. Nothing contained in this Agreement is intended to or shall be construed as making or creating any covenants, representations or warranties in favor of any party who is not a party to this Agreement.

15. Nothing contained in this Agreement is intended to or shall be construed as creating a partnership, joint venture or other similar arrangement between or among the parties to this Agreement.

16. This Agreement shall be governed by the laws of the State of Florida.

17. This Agreement may be executed in multiple counterparts, and each fully executed counterpart shall be deemed an original instrument.

18. The obligations of the COUNTY created hereunder are subject to and contingent upon the appropriation of funds by the Board of County Commissioners of Palm Beach County, Florida during annual budget approval. In the event that the Board of County Commissioners of Palm Beach County, Florida fails or is unable, on a timely basis, to appropriate sufficient funds to meet COUNTY's obligations created hereunder, then PINE GROVE's obligations hereunder which are concurrent with or subsequent to the COUNTY obligations

R & J 1459

which are unable to be met shall be delayed until such time as COUNTY is able to so perform. In the event that COUNTY fails or is unable to so perform for a period of two (2) years beyond the date on which the obligation is scheduled hereunder, then this Agreement shall be null and void, and all further obligations of PINE GROVE and COUNTY to each other arising hereunder shall cease and be of no further force or effect.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seals as of the date first above written.

ATTEST:

PINE GROVE CORPORATION,
a Delaware corporation

By: [Signature]

Title: ASST. SECRETARY

By: [Signature]

Title: PRESIDENT

(SEAL)

ATTEST:

OLIVE TREE CORPORATION,
a Delaware corporation

By: [Signature]

Title: ASST. SECRETARY

By: [Signature]

Title: PRESIDENT

ATTEST.

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

John B. Dunkle, Clerk

By: [Signature]

Deputy Clerk

By: [Signature]

Vice-Chairman

SEP 20 1983

(SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: [Signature]

County Attorney

By: [Signature]

County Administrator

REVIEWED BY
ADMINISTRATION
INITIALS: [Signature]
DATE: 10/5/83

By: [Signature]

Clerk of the Board

REVIEWED BY

FINANCE

INITIALS: NA 10

DATE: 10/11/83

ATTEST:

GREENACRES CITY, FLORIDA

By: [Signature]

City Clerk

By: [Signature]

Mayor

(SEAL)

REVIEWED BY

BUDGET

INITIALS: Y4 R

DATE: 10/11/83

R 83 1459

BOOK 318 212

R 83 1459

TIME FRAME	ROADWAY SEGMENT SCOPES OR DESCRIPTION OF IMPROVEMENTS(2)	PINE GROVE'S CONTRIBUTION	PALM BEACH COUNTY'S CONTRIBUTION	PINE GROVE'S CONTRIBUTION ESTIMATE (1)	PALM BEACH COUNTY'S CONTRIBUTION ESTIMATE(1)
<p>REMARKS(1)</p> <p>Plans completed within 3 months of project approval(2). Construction shall start before the client meets and physically accepted by a resident.</p>	<p>A. Four Lane Forest Hill Boulevard from 300' west of Pine Grove/Olive Tree proposed project entrance to 300' east of dog head, approximately 2,400 linear feet.</p> <p>B. Four Lane Dog Head from 200' south of Pearly Lane to 200' north of Forest Hill Blvd., approximately 2,600 linear feet.</p> <p>C. Improvements to Forest Hill Blvd. and Dog Head Intersection to include two through lanes, a right turn lane and two left lanes on each approach.</p> <p>D. Signalization to Forest Hill Blvd. and Dog Head Intersection.</p>	<p>Preparation of plans & construction of improvements</p>	<p>Provide right-of-way</p>	<p>Preparation of plans & construction of improvements</p>	<p>Signalizing & signalization of intersection</p>

R 83 1459

TIME FRAME	ROADWAY IMPROVEMENT SCOPES OR DESCRIPTION OF IMPROVEMENT(S)	PLANE GROVE'S CONTRIBUTION	PALE BEACH COUNTY'S CONTRIBUTION	PLANE GROVE'S CONTRIBUTION ESTIMATE (1)	PALE BEACH COUNTY'S CONTRIBUTION ESTIMATE(1)
INCREMENT 1: Under construction prior to occupancy of 735 units, or prior to end of 1987, whichever occurs first	Four Lane Percent Hill Blvd (two lanes existing) from east of Jog Road to the existing four lane section west of Military Trail, approximately 7,400 linear feet including intersection improve- ments	Plaid Lamp run payment of \$900,000 (3)	Preparation of plans & construction & provisions of right-of-way	N/A	Plans Right/way Construction \$120 \$100 \$900
INCREMENT 2: Under construction prior to occupancy of 1,845 units, or prior to end of 1991, whichever occurs first	Four Lane Jog Road (2 lanes existing) from Paley Lane to Lido North Road, including intersection improvements.	Plaid Lamp run payment of \$600,000(3)	Preparation of plans, construction & provision of right/way	N/A	Plans Right/way Construction \$ 60 \$220 \$900
INCREMENT 4: Under construction prior to occupancy of 3,942 units, or prior to end of 2000, whichever occurs first	Four Lane Jog Road (2 lanes existing) from north of Percent Hill Boulevard located the Paley Beach Coal Bldg., approximately 9,300 linear feet including intersection improvements. If in the interest of Paley Beach County to attempt to accelerate this construction to take place in 1991 then from of the construction between Paley Lane and Lido North Road.	Plaid Lamp run payment of \$300,000 (3)	Preparation of plans, construction & provision of right/way	N/A	Plans Right/way Construction \$200 \$675 \$1,100

AN ORDINANCE OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, REPEALING CITY ORDINANCE 79-18, ADOPTING PALM BEACH COUNTY'S "FAIR SHARE CONTRIBUTION FOR ROAD IMPROVEMENTS ORDINANCE"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE AND OTHER ITEMS.

WHEREAS, the Board of County Commissioners of Palm Beach County has adopted Ordinance 79-07, as has been amended by Ordinances 81-04 and 83-09, said Ordinances being known as the "Fair Share Contribution for Road Improvements Ordinance", and

WHEREAS, said instrument provides for the collection of a fee for construction of new roads within Palm Beach County, and

WHEREAS, the County Ordinance applies to the incorporated and unincorporated areas of Palm Beach County, and

WHEREAS, the Greenacres City Council had elected by City Ordinance 79-18 not to participate in the "Fair Share Contribution for Road Improvements Ordinance"; and

WHEREAS, the City Council now feels that participation in said County Ordinance would be in the best interests of the citizens of Greenacres City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, AS FOLLOWS:

Section 1. Ordinance 79-18, adopted on June 18, 1979, is hereby repealed as follows:

1. ~~The fair share contribution for road impact ordinance as proposed by the Palm Beach County Board of County Commissioners has been determined to be of no benefit to the residents of the Town of Greenacres City.~~
2. ~~The Ordinance as adopted by the Palm Beach County Board of County Commissioners shall not apply within the municipal boundaries of the Town of Greenacres City as they presently exist or as may hereafter be defined.~~

R 83 1459

Section 2. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

FOOT NOTES ATTACHED TO INSTRUMENT 1:

1. Notwithstanding the estimates shown, each party is responsible for actual cost of activities or improvements to be performed by it. Therefore, Pine Grove/Olive Tree is responsible for the actual plans, design and construction, and the County is responsible for actual cost of right-of-way and signalization of intersection.
 2. Project approval as defined in paragraph 11 of the Agreement.
 3. Design, plans and construction to be at least of the same standards as Florida Department of Transportation design standards for Forest Hill Boulevard, and County standards for Jog Road.
- Notwithstanding the estimates shown, each party is responsible for actual cost of activities or improvements to be performed by it. Therefore, the County is responsible for actual cost of design plans, right-of-way, and construction of each increment and Pine Grove/Olive Tree is responsible for paying the amounts shown for each increment.
- Design, plans and construction to be at least of the same standards as Florida Department of Transportation design standards for Forest Hill Boulevard, and County standards for Jog Road.
- Payment to be made pursuant to provisions of paragraph 9 of the Agreement.

40001

R 83

1459

BOOK 318 215

Section 3. SEVERABILITY.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is, for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect this remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. INCLUSION IN CODE.

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Greenacres City, Florida; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or other word.

Section 5. EFFECTIVE DATE.

The provisions of this Ordinance shall become effective in accordance with the laws of the State of Florida.

R 83 1459

PASSED on the first reading this 18th day of July, 1983.

PASSED AND ADOPTED on the second reading this 25th day of July, 1983.

1983.

JAMES P. QUIGLEY, Mayor

ABSENT

VOTED

JAMES E. RAWLINS, SR., Deputy Mayor

MARSHALL K. DAN, Councilman

Attest:

EVELYN L. WHEELER, City Clerk

WILLIAM E. PERRY, Councilman

CARL SACKS, Councilman

WALLY TIEFHOEL, Councilman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Page 2 of 4
SCHEDULE "B"

BOOK 318 217

A RESOLUTION OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, EXPRESSING ITS SUPPORT FOR THE ALLOCATION OF ROAD IMPACT FEES COLLECTED BY GREENACRES CITY TO FUTURE ROAD IMPROVEMENTS ON JOG ROAD.

WHEREAS, the Greenacres City Council has adopted Ordinance 83-34, which authorizes the collection of Road Impact Fees for residential and commercial projects located within City limits; and

WHEREAS, the Board of County Commissioners of Palm Beach County has adopted Ordinance 79-09, as further amended by Ordinances 81-04 and 83-09; and

WHEREAS, the aforementioned ordinances, otherwise known as the "Fair Share Contribution for Road Improvements Ordinance" require the expenditure of Road Impact Fees in the zone in which they are collected; and

WHEREAS, the Greenacres City Council recognizes as a highest priority the improvement of Jog Road throughout the City limits.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA AS FOLLOWS:

Section 1. The Greenacres City Council supports the recent conceptual proposal to widen Forest Hill Boulevard and Jog Road through a combination of County funds and developer contributions.

Section 2. The Greenacres City Council expresses its strong support for any Road Impact Fees collected within Greenacres City to be used as a supplement to County funds in improving Jog Road.

Section 3. The Greenacres City Council expresses its support for any unexpended monies collected from Greenacres City through the Road Impact Fee Ordinance to be used for the widening of Tenth Avenue North.

Section 4. The City Clerk is directed to transmit a certified copy of this Resolution to the Board of County Commissioners of Palm Beach County, Florida.

Section 5. This Resolution shall take effect immediately upon adoption.

SCHEDULE "B"

Page 3 of 4

R 83 1459

BOOK 318

218

RESOLVED this 25th day of July, 1983.

JAMES P. QUIGLEY, Mayor

ABSENT

VOTED

JAMES E. RAWLINS, SR., Deputy Mayor

MARSHALL K. DAN, Councilman

Attest:

EVELYN L. WHEELER, City Clerk

WILLIAM E. PERRY, Councilman

CARL SACKS, Councilman

WALLY TRETBOHL, Councilman

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

I HEREBY CERTIFY that this is a true and correct copy of Resolution No. 83-25,
passed by the City Council of Greenacres City, Florida, at their regular
council meeting of July 25, 1983.

CERTIFIED this 26th day of July, 1983.

Evelyn L. Wheeler, City Clerk

R 83 1459

SCHEDULE 3

Page 4 of 4

BOOK 318 219

9.15.3RF

Board of County Commissioners

Peggy B. Evatt, Chairman
Ken Spillias, Vice Chairman
Dennis P. Koehler
Dorothy Wilken
Bill Bailey

2:15 Special Item
County Administrator

John C. Sansbury

7318

Office of County Attorney
Charles F. Schoech
County Attorney



DATE: September 20, 1983

TO: Board of County Commissioners

FROM: Rickey L. Farrell, Asst. County Attorney

RE: Roadway Improvements Agreement with Pine Grove Corporation, Town of Greenacres City and Palm Beach County.

Pine Grove Corporation has filed an application for a Planned Unit Development with the Town of Greenacres City, for a proposed 4,760 unit residential development upon a 522 acre tract of land lying within the Town of Greenacres City (the "Project"), which, if developed as proposed, has been determined to be a Development of Regional Impact (DRI) pursuant to Chapter 380, Florida Statutes.

Palm Beach County was invited to provide comment regarding the Project as a result of the DRI review process, and did so participate.

The Treasure Coast Regional Planning Council (TCRPC), on July 15, 1983, adopted the DRI Assessment Report, approving the Project as proposed.

The Assessment Report contains recommendations to the Town of Greenacres City regarding, among other things, improvements to roadways in the area of the Project.

Palm Beach County, Town of Greenacres City and Pine Grove Corporation have met, discussed and reviewed a broad scope of roadway improvements planned and desired by Palm Beach County in the area of the Project, which encompasses the TCRPC recommendations for roadway improvements and have concluded that it would be mutually beneficial to jointly participate in accomplishing the broad scope of improvements identified by Palm Beach County as set forth in the attached agreement.

R 83 1459

Approval of the attached agreement is recommended.

Please advise if further information is required.

Signed _____

RLF/mef
encl.

BOOK 318 - 220

BOX 1889 - WEST PALM BEACH, FLORIDA 33401

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, APPROVING ROADWAY
IMPROVEMENTS AGREEMENT BETWEEN PALM BEACH COUNTY,
PINE GROVE CORPORATION, AND TOWN OF GREENACRES
CITY.

WHEREAS, Pine Grove Corporation has filed an application for a Planned Unit Development with the Town of Greenacres City, for a proposed 4,760 unit residential development upon a 522 acre tract of land lying within the Town of Greenacres City (the "Project"), which, if developed as proposed, has been determined to be a Development of Regional Impact (DRI) pursuant to Chapter 380, Florida Statutes; and

WHEREAS, Palm Beach County was invited to provide comment regarding the Project as a result of the DRI review process, and did so participate; and

WHEREAS, the Treasure Coast Regional Planning Council (TCRPC), on July 15, 1983, adopted the DRI Assessment Report, approving the Project as proposed; and

WHEREAS, the Assessment Report contains recommendations to the Town of Greenacres City regarding, among other things, improvements to roadways in the area of the Project; and

WHEREAS, Palm Beach County, Town of Greenacres City and Pine Grove Corporation have met, discussed and reviewed a broad scope of roadway improvements planned and desired by Palm Beach County in the area of the Project, which encompasses the TCRPC recommendations for roadway improvements and have concluded that it would be mutually beneficial to jointly participate in accomplishing the broad scope of improvements identified by Palm Beach County as set forth in the attached agreement.

R 83 1459

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the attached Roadway Improvements Agreement between Palm Beach County, Town of Greenacres City and Pine Grove Corporation, attached hereto and made a part hereof, is hereby approved and the Chairman and Clerk of this Board are authorized, in their respective capacities, to execute said agreement on behalf of Palm Beach County, Florida.

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

PEGGY B. EVATT
KENNETH G. SPILLIAS
DENNIS P. KOEHLER
DOROTHY H. WILKEN
BILL BAILEY

The Chairman thereupon declared the resolution duly passed
and adopted this _____ day of September, 1983.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

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

By 

County Attorney

John B. Dunkle, Clerk

By _____

Deputy Clerk

R 83 1459

ROADWAY IMPROVEMENTS AGREEMENT

THIS AGREEMENT is made and entered into as of the 20th day of September, 1983, by, between and among Pine Grove Corporation, a Delaware corporation qualified to do business in the State of Florida, Olive Tree Corporation, a Delaware corporation qualified to do business in the State of Florida, hereinafter collectively referred to as "PINE GROVE", Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and GREENACRES CITY, an incorporated municipality located within Palm Beach County, hereinafter referred to as "CITY".

WHEREAS, PINE GROVE has filed an application for Planned Unit Development with CITY, for a proposed 4760 unit residential development upon a 522 acre tract of land lying within CITY, which, if developed as proposed, has been determined to be a Development of Regional Impact (DRI) pursuant to Chapter 380, Florida Statutes (the "Project"), and

WHEREAS, COUNTY was invited to provide comment regarding the Project as a result of the DRI review process, and did so participate, and

WHEREAS, the Treasure Coast Regional Planning Council (TCRPC), on July 15, 1983, adopted the DRI Assessment Report, approving the Project as proposed, and

WHEREAS, the Assessment Report contains recommendations to CITY regarding, among other things, improvements to roadways in the area of the Project, and

WHEREAS, COUNTY, CITY and PINE GROVE have met, discussed and reviewed a broad scope of roadway improvements planned and desired by COUNTY in the area of the Project, which encompasses the TCRPC recommendations for roadway improvements and have concluded that it would be mutually beneficial to jointly participate in accomplishing the broad scope of improvements identified by COUNTY.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the parties represent, covenant and agree as follows:

1. The recitals hereinabove are true and correct.
2. PINE GROVE agrees to reduce the total number of residential units permitted in the Project to 4300, and to take all steps necessary in order to duly and timely amend its P.U.D. Application to CITY in order to reflect this unit reduction.
3. COUNTY and PINE GROVE agree to assume and execute the obligations specified for each party at the times and in the manner outlined in Schedule A attached hereto and made a part hereof. It is understood and agreed that the obligations of PINE GROVE hereunder are in lieu of and in full substitution for any road impact fees which might otherwise be due and owing to COUNTY or CITY by virtue of Section 37-70 et seq., Palm Beach County Code, commonly known as the "Fair Share Contribution for Road Improvements Ordinance".

4. In the event that any governmental or private entity other than PINE GROVE accomplishes the road improvements or any portion thereof described in Schedule A in advance of the time set forth therein, then this fact shall not relieve PINE GROVE of its obligation to pay to COUNTY the amount(s) specified to be contributed by PINE GROVE for such work which has been accomplished by others. Any such contribution by PINE GROVE shall then be used by COUNTY solely and exclusively as an aid in finishing first those improvements identified in Schedule "A", then, to the extent that any excess funds exist over and above those required to complete the Schedule "A" improvements, same shall be used solely and exclusively to make additional roadway improvements, the nature, extent and priority of which to be determined jointly by CITY and COUNTY on the basis of need, to the following major thoroughfares:

1. Jog Road
2. Forest Hill Boulevard
3. 10th Avenue North
4. Summit Boulevard
5. Purdy Lane
6. Cresthaven Boulevard.

5. In the event that either a substantial reduction in the total number of units within the Project or substantial delay in development of the Project for whatever reason results in a significant diminution of the Project's anticipated traffic impact, or a delay in the timing of the Project's traffic impact, then the parties hereto shall meet to negotiate the extent of the reduced or delayed impact, and a corresponding reduction or deferral of PINE GROVE's obligations hereunder, if same is appropriate. Prior to said negotiation occurring, PINE GROVE shall deliver to the other parties a traffic analysis prepared by a traffic engineer in a form acceptable to COUNTY.

6. All roadway improvement construction plans for which PINE GROVE is responsible and referred to in Schedule A shall be approved by COUNTY and the Florida Department of Transportation, as appropriate, in accordance with their regular rules and regulations. On COUNTY roads, COUNTY shall coordinate and administer the plan approval process expeditiously, including the issuance of any necessary construction permits, and inspections or supervision at no cost to PINE GROVE. On State roads, COUNTY pledges its full cooperation and assistance to PINE GROVE in expediting the plan approval process. CITY also agrees to cooperate and assist PINE GROVE as may be necessary to secure all roadway construction permits.

7. Signalization at the Project's entrances on Jog Road and Forest Hill Boulevard shall be accomplished by PINE GROVE at PINE GROVE's sole cost and expense when reasonably warranted as determined by COUNTY, in accordance with sound engineering practices based upon updated traffic studies. COUNTY shall assist PINE GROVE by designing the signals at COUNTY's cost and, if PINE GROVE elects, administering the installation of same through COUNTY's annual signal installation contract in order to minimize the cost to PINE GROVE.

8. All turn lanes and road signage necessary to serve the Project entrances as determined by sound engineering practices are understood to be included in the construction program outlined in Schedule A.

9. All lump sum payments called for in Schedule A to be made by PINE GROVE to COUNTY shall be made during the first quarter of the calendar year in which the associated construction is scheduled. At PINE GROVE's option, this payment may be made by delivery of an irrevocable letter of credit or payment bond to COUNTY in an amount equal to the particular lump sum payment called for in Schedule A, which may be drawn upon by COUNTY at such time as the funds are actually required for construction purposes.

R-83

1459

BOOK 318

224

10. The rights, benefits and obligations of PINE GROVE, COUNTY and CITY under this Agreement may not be assigned by any party without the express prior written consent of the other parties, which consent shall not be unreasonably withheld. Provided, however, that such consent shall not be required in the event that PINE GROVE assigns to any entity which is a wholly owned subsidiary of Mobil Corporation. Any permitted assignment hereunder shall include an unconditional written assumption of the assignor's duties and obligations by the assignee.

11. COUNTY and CITY agree that the obligations of PINE GROVE hereunder are expressly subject to and contingent upon the allocation of budget funds to PINE GROVE by its parent company, Mobil Land Development Corporation. In the event that such allocation of funds does not occur on or before March 31, 1984, this Agreement shall become null and void. PINE GROVE shall deliver to COUNTY and to CITY a certification from its parent company confirming such allocation within ten (10) days thereof. Delivery of the said certification by PINE GROVE to COUNTY and to CITY shall constitute "Project Approval" for purposes of this Agreement.

12. COUNTY agrees that any and all monies which are turned over to COUNTY by CITY pursuant to CITY's adoption of its Ordinance 83-34 (which authorizes COUNTY's Fair Share Contribution for Road Improvements Ordinance within City limits) shall be used solely and exclusively by COUNTY in accordance with the recommendations of Resolution No. 83-25 of CITY (attached hereto collectively as Schedule "B") in conjunction with the roadway improvements outlined in Schedule A. Any such sums so collected and paid to COUNTY shall not serve to reduce the obligations of PINE GROVE under this Agreement.

13. This Agreement may be modified or amended only by a written agreement executed by each of the parties hereto. The terms and conditions herein constitute the entire agreement between the parties hereto and any representations not contained herein shall be null and void and of no force or effect.

14. Nothing contained in this Agreement is intended to or shall be construed as making or creating any covenants, representations or warranties in favor of any party who is not a party to this Agreement.

15. Nothing contained in this Agreement is intended to or shall be construed as creating a partnership, joint venture or other similar arrangement between or among the parties to this Agreement.

16. This Agreement shall be governed by the laws of the State of Florida.

17. This Agreement may be executed in multiple counterparts, and each fully executed counterpart shall be deemed an original instrument.

18. The obligations of the COUNTY created hereunder are subject to and contingent upon the appropriation of funds by the Board of County Commissioners of Palm Beach County, Florida during annual budget approval. In the event that the Board of County Commissioners of Palm Beach County, Florida fails or is unable, on a timely basis, to appropriate sufficient funds to meet COUNTY's obligations created hereunder, then PINE GROVE's obligations hereunder which are concurrent with or subsequent to the COUNTY obligations

R 83 1459

which are unable to be met shall be delayed until such time as COUNTY is able to so perform. In the event that COUNTY fails or is unable to so perform for a period of two (2) years beyond the date on which the obligation is scheduled hereunder, then this Agreement shall be null and void, and all further obligations of PINE GROVE and COUNTY to each other arising hereunder shall cease and be of no further force or effect.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seals as of the date first above written.

ATTEST:

PINE GROVE CORPORATION,
a Delaware corporation

By: [Signature]

Title: ASST. SECRETARY

By: [Signature]

Title: PRESIDENT

(SEAL)

ATTEST:

OLIVE TREE CORPORATION,
a Delaware corporation

By: [Signature]

Title: ASST. SECRETARY

By: [Signature]

Title: PRESIDENT

ATTEST:

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

John B. Dunkle, Clerk

By: _____

Deputy Clerk

By: _____

Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: [Signature]

County Attorney

By: _____

County Administrator

By: _____

Clerk of the Board

ATTEST:

GREENACRES CITY, FLORIDA

By: [Signature]

City Clerk

By: [Signature]

Mayor

(SEAL)

R 88 1459

TIME FRAME	ROADWAY IMPROVEMENT SCOPE OR DESCRIPTION OF IMPROVEMENT(S)	PINE GROVE'S CONTRIBUTION	PALM BEACH COUNTY'S CONTRIBUTION	PALM BEACH COUNTY'S CONTRIBUTION ESTIMATE (1)
RECENTLY	<p>A. Pine Grove Forest Hill Boulevard from 300' west of Pine Grove/Olive Tree proposed project outside to 300' east of Jog Road, approximately 2,400 linear feet</p> <p>B. Pine Grove Jog Road from 200' north of Furdy Lane to 300' south of Forest Hill Blvd., approximately 2,400 linear feet</p> <p>C. Improvements to Forest Hill Blvd and Jog Road Intersection to include two through lanes, a right turn lane and two left lanes on each approach.</p> <p>D. Signalization to Forest Hill Blvd and Jog Road Intersection</p>	<p>Preparation of plans & construction of improvements</p> <p>Provide Right/Way</p>	<p>Design, construction, & installation of system</p>	<p>Preparation of plans & construction of improvements \$200,000</p> <p>Right/Way \$100,000</p> <p>Signalization & Installation \$25,000</p>

K 83 1459

TIME FRAME	ROADWAY SURVEY SCORE OR DESCRIPTION OF IMPROVEMENT(2)	PINE GROVE'S CONTRIBUTION	PALM BEACH COUNTY'S CONTRIBUTION	PINE GROVE'S CONTRIBUTION ESTIMATE (3)	PALM BEACH COUNTY'S CONTRIBUTION ESTIMATE (4)
INCREMENT 2: Under construction prior to bankruptcy of 735 South, or prior to end of 1987, whichever occurs first	Four Lane Perpet Hill Blvd (two lanes existing) from end of Jog Road to the existing four lane section west of Military Trail, approximately 2,400 linear feet including intersection improvements	Filed 12/20/88 Payment of \$900,000 (3)	Preparation of plans & construction & provision of right-of-way	N/A	Plans right-of-way Construction \$130,000 \$120,000 \$250,000
INCREMENT 3: Under construction prior to bankruptcy of 1,845 South, or prior to end of 1991, whichever occurs first	Four Lane Jog Road (2 lanes existing) from Purdy Lane to Lake Worth Road, including intersection improvements.	Filed 12/20/88 Payment of \$200,000 (3)	Preparation of plans, construction & provision of right-of-way	N/A	Plans right-of-way Construction \$40,000 \$270,000 \$310,000
INCREMENT 4: Under construction prior to bankruptcy of 3,942 South, or prior to end of 2000, whichever occurs first	Four Lane Jog Road (2 lanes existing) from north of Perpet Hill Boulevard including Palm Beach Canal bridges, approximately 9,300 linear feet including intersection improvements. It is the intent of Palm Beach County to attempt to accelerate this construction to take place in 1991, time frame as the construction between Purdy Lane and Lake Worth Road.	Filed 12/20/88 Payment of \$240,000 (3)	Preparation of plans, construction & provision of right-of-way	N/A	Plans right-of-way Construction \$20,000 \$220,000 \$240,000

R 83 1459

FOOT NOTES APPLICABLE TO INCLEMENT 1:

1. Notwithstanding the estimate shown, each party is responsible for actual cost of activities or improvements to be performed by it. Therefore Pine Grove/Olive Tree is responsible for the actual plans, design and construction, and the County is responsible for actual cost of right-of-way and signalization of intersection.
2. Project approval as defined in paragraph 11 of the Agreement.
3. Design, plans and construction to be at least of the same standards as Florida Department of Transportation design standards for Forest Hill Boulevard, and County standards for Jog Road.

FOOT NOTES APPLICABLE TO INCLEMENT 2, 3, AND 4:

1. Notwithstanding the estimate shown, each party is responsible for actual cost of activities or improvements to be performed by it. Therefore, the County is responsible for actual cost of design plans, right-of-way, and construction of each. However, the Pine Grove/Olive Tree is responsible for paying the amounts shown for each increment.
2. Design, plans and construction to be at least of the same standards as Florida Department of Transportation design standards for Forest Hill Boulevard, and County standards for Jog Road.
3. Payment to be made pursuant to provisions of paragraph 9 of the Agreement.

6001

R 83 1459

ORDINANCE NO. 83-34

AN ORDINANCE OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, REPEALING CITY ORDINANCE 79-18, ADOPTING PALM BEACH COUNTY'S "FAIR SHARE CONTRIBUTION FOR ROAD IMPROVEMENTS ORDINANCE"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE AND OTHER ITEMS.

WHEREAS, the Board of County Commissioners of Palm Beach County has adopted Ordinance 79-07, as has been amended by Ordinances 81-04 and 83-09, said Ordinances being known as the "Fair Share Contribution for Road Improvements Ordinance", and

WHEREAS, said instrument provides for the collection of a fee for construction of new roads within Palm Beach County, and

WHEREAS, the County Ordinance applies to the incorporated and unincorporated areas of Palm Beach County, and

WHEREAS, the Greenacres City Council had elected by City Ordinance 79-18 not to participate in the "Fair Share Contribution for Road Improvements Ordinance"; and

WHEREAS, the City Council now feels that participation in said County Ordinance would be in the best interests of the citizens of Greenacres City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, AS FOLLOWS:

Section 1. Ordinance 79-18, adopted on June 18, 1979, is hereby repealed as follows:

1. ~~The fair share contribution for road impact ordinance as proposed by the Palm Beach County Board of County Commissioners has been determined to be of no benefit to the residents of the Town of Greenacres City.~~
2. ~~The Ordinance as adopted by the Palm Beach County Board of County Commissioners shall not apply within the municipal boundaries of the Town of Greenacres City as they presently exist or as may hereafter be defined.~~

Section 2. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. SEVERABILITY.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect this remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. INCLUSION IN CODE.

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Greenacres City, Florida; that the Section(s) of this Ordinance may be renumbered or relabeled to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article", or other word.

Section 5. EFFECTIVE DATE.

The provisions of this Ordinance shall become effective in accordance with the laws of the State of Florida.

R 83 1459

PASSED on the first reading this 18th day of July, 1983.

PASSED AND ADOPTED on the second reading this 25th day of July, 1983.

1983.

JAMES P. QUIGLEY, Mayor

ABSENT

VOTED

JAMES E. RAWLINS, SR., Deputy Mayor

Marshall K. Dan (Yes)
MARSHALL K. DAN, Councilman

Attest:

Evelyn L. Weeles
EVELYN L. WEELES, City Clerk

William E. Perry (Yes)
WILLIAM E. PERRY, Councilman

Carl Sacks (Yes)
CARL SACKS, Councilman

Robin Mitchell
APPROVED AS TO FORM AND LEGAL

Wally Tietbohl (Yes)
WALLY TIETBOHL, Councilman

RESOLUTION NO. 83-28

A RESOLUTION OF THE CITY COUNCIL OF GREENACRES CITY, FLORIDA, EXPRESSING ITS SUPPORT FOR THE ALLOCATION OF ROAD IMPACT FEES COLLECTED BY GREENACRES CITY TO FUTURE ROAD IMPROVEMENTS ON JOG ROAD.

WHEREAS, the Greenacres City Council has adopted Ordinance 83-34, which authorizes the collection of Road Impact Fees for residential and commercial projects located within City limits; and

WHEREAS, the Board of County Commissioners of Palm Beach County has adopted Ordinance 79-09, as further amended by Ordinances 81-04 and 83-09; and

WHEREAS, the aforementioned ordinances, otherwise known as the "Fair Share Contribution for Road Improvements Ordinance" require the expenditure of Road Impact Fees in the zone in which they are collected; and

WHEREAS, the Greenacres City Council recognizes as a highest priority the improvement of Jog Road throughout the City limits.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF GREENACRES CITY, FLORIDA AS FOLLOWS:

Section 1. The Greenacres City Council supports the recent conceptual proposal to widen Forest Hill Boulevard and Jog Road through a combination of County funds and developer contributions.

Section 2. The Greenacres City Council expresses its strong support for any Road Impact Fees collected within Greenacres City to be used as a supplement to County funds in improving Jog Road.

Section 3. The Greenacres City Council expresses its support for any unexpended monies collected from Greenacres City through the Road Impact Fee Ordinance to be used for the widening of Tenth Avenue North.

Section 4. The City Clerk is directed to transmit a certified copy of this Resolution to the Board of County Commissioners of Palm Beach County, Florida.

Section 5. This Resolution shall take effect immediately upon adoption.

SCHEDULE "B"

Page 3 of 4

R 83 1459

RESOLVED this 25th day of July, 1983.

JAMES P. QUIGLEY, Mayor

ABSENT

VOTED

JAMES E. RAWLINS, SR., Deputy Mayor

MARSHALL K. DAN, Councilman

Attest:

EVELYN L. WHEELER, City Clerk

WILLIAM E. PERRY, Councilman

CARL SACKS, Councilman

NALLY TIERBOEHL, Councilman

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

I HEREBY CERTIFY that this is a true and correct copy of Resolution No 83-25,
passed by the City Council of Greenacres City, Florida, at their regular
council meeting of July 25, 1983.

CERTIFIED this 26th day of July, 1983.

EVELYN L. WHEELER, City Clerk

SCHEDULE "B"

Page 4 of 4

R 83 1459