

RESOLUTION NO. 40-10-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ACCEPTING A SPECIAL WARRANTY DEED AND BILL OF SALE FROM CONGRESS AVENUE PROPERTIES, LTD., CONVEYING PARCEL C OF THE PLAT OF CONGRESS BUSINESS PARK FOR RIGHT OF WAY PURPOSES; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE BILL OF SALE WHICH GRANTS TO THE TOWN THE IMPROVEMENTS THEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park (Town) is a municipality and given those home rule powers and responsibilities enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the Town Commission has approved a Site Plan and a Plat for the property owned by Congress Avenue Properties, Ltd. (the Developer); and

WHEREAS, as part of these approvals the Developer agreed to convey to the Town by Special Warranty Deed Parcel C of the Congress Business Park Plat (the Plat) and

WHEREAS, Parcel C of the Plat has been designated as a portion of the right-of way for the extension of Park Avenue; and

WHEREAS, in addition to the right-of way, the Developer agreed to convey by Bill of Sale those improvements it has constructed in Parcel C associated with the right-of-way for Park Avenue; and

WHEREAS, the improvements being conveyed by the Developer include roadway, pedestrian, Stormwater system and other associated improvements, all of which are necessary as part of the extension of Park Avenue to Congress Avenue in the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF
THE TOWN OF LAKE PARK:**

Section 1. The foregoing recitals are true and correct and are incorporated herein.

Section 2. The Town Commission hereby accepts the Special Warranty Deed conveying Parcel C, a copy of which is attached hereto as **Exhibit "A"**.

Section 3. The Town Commission hereby accepts the Bill of Sale conveying the roadway, those pedestrian, Stormwater system and other improvements within Parcel C constructed by the Developer to the Town. The Mayor is hereby authorized and directed to execute the Bill of Sale, a copy of which is attached hereto as **Exhibit "B"**.


Section 4. This Resolution shall be effective upon adoption.

The foregoing Resolution was offered by Commissioner Rapoza who moved its adoption. The motion was seconded by Commissioner O'Rourke and upon being put to a roll call vote, the vote was as follows:

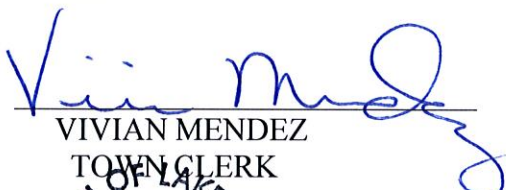

	AYE	NAY
MAYOR JAMES DUBOIS	<u> / </u>	<u> </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u> / </u>	<u> </u>
COMMISSIONER ERIN FLAHERTY	<u> / </u>	<u> </u>
COMMISSIONER MICHAEL O'ROURKE	<u> / </u>	<u> </u>
COMMISSIONER KATHLEEN RAPOZA	<u> / </u>	<u> </u>

The Town Commission thereupon declared the foregoing Resolution NO. 40-10-15 duly passed and adopted this 7 day of October, 2015.

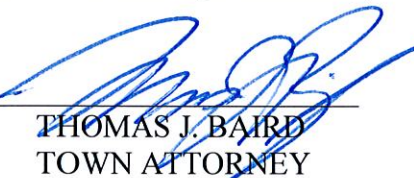
TOWN OF LAKE PARK, FLORIDA

BY: 
JAMES DUBOIS
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK

TOWN OF LAKE PARK
FLORIDA

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

PREPARED BY AND RETURN TO:

Parcel I.D. No.:

Special Warranty Deed

THIS INDENTURE is made this ____ day of _____, 2015, between CONGRESS AVENUE PROPERTIES, LTD., a Florida limited partnership ("Grantor"), whose post office address is 4500 PGA Boulevard, Suite 207, Palm Beach Gardens, FL 33418, and TOWN OF LAKE PARK, a municipal corporation of the state of Florida ("Grantee"), whose post office address is 535 Park Avenue, Lake Park, FL 33403.

WITNESSETH:

Witnesseth, that Grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto Grantee, all that certain land situate in Palm Beach County, Florida ("Property"), wit:

PARCEL C OF THE CONGRESS BUSINESS PARK PLAT recorded at Plat Book 119, Page 35 of the Public Records of Palm Beach County, Florida.

TOGETHER with all and singular the tenements, hereditaments and appurtenances belong to or in anywise appertaining to the Property.

TO HAVE AND TO HOLD the Property together with all and singular the appurtenances thereunto belonging or in anywise appertaining, unto the said Grantee, in fee simple forever.

And Grantor, for itself and for its successors and assigns, does hereby covenant with Grantee that it will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

[Signature page follows.]

NOTE TO CLERK: THIS CONVEYANCE WAS MADE FOR NO CONSIDERATION AND IS THEREFORE EXEMPT FROM DOCUMENTARY STAMP TAX PURSUANT TO F.A.C. §12B-4.014(2)(a).

IN WITNESS WHEREOF, the Grantor has set its seal on the day and year first above written.

Signed, sealed and delivered
in the presence of:

Congress Avenue Properties, Ltd., a Florida limited
partnership

Perpetuities Trust Holdings, LLC, a Florida limited
liability company, its General Partner

Name: _____

By: _____
Print Name: _____
Title: _____

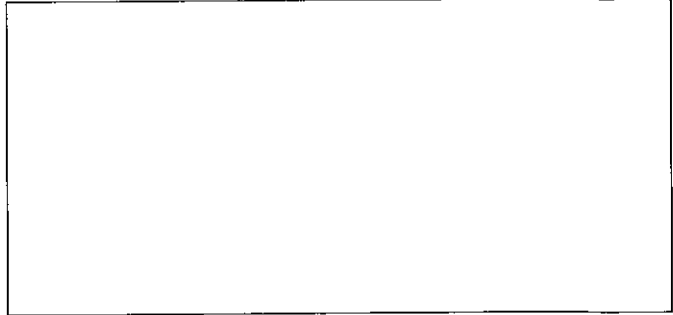
Name: _____

STATE OF FLORIDA)
) ss
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015 by _____, _____ of the Perpetuities Trust Holdings, LLC, a Florida limited liability company, General Partner of Congress Avenue Properties, Ltd., a Florida limited partnership, on behalf of said limited liability company, who is personally known to me.

(Notary Seal)

Print Name: _____
Notary Public
State of Florida
My Commission Expires: _____
My Commission No.: _____



BILL OF SALE

THIS BILL OF SALE is made this ____ day of _____, 2015, between Congress Avenue Properties, Ltd., a Florida limited partnership, having an address of 4500 PGA Blvd, Suite 207, Palm Beach Gardens, FL 33418, hereinafter referred to as "Seller", and the TOWN OF LAKE PARK, a Florida municipal corporation, hereinafter referred to as "Buyer". (Wherever used herein the terms "Seller" and "Buyer" include all the parties to this instrument, and the heirs, legal representatives, and their successors and assigns.

WITNESSETH, that the Seller, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration to it in hand paid by Buyer, the receipt whereof is hereby acknowledged, hereby delivers, grants, bargains, sells, transfers, aliens, remises, releases, conveys and confirms unto the Buyer, the following goods and chattels, located in the County of Palm Beach and State of Florida, to wit:

Roadway, Pedestrian, Stormwater Drainage System, and similar improvements as described in Attachment A. All of the subject improvements lie within the following land area:

PARCEL C OF THE CONGRESS BUSINESS PARK PLAT recorded at Plat Book 119, Page 35 of the Public Records of Palm Beach County, Florida.

TO HAVE AND TO HOLD the same unto the Buyer, its executors, administrators, successors and assigns forever, Seller, for itself, its successors and assigns, does hereby covenant to and with the Buyer, its successors and assigns, that Seller is the lawful owner of the said goods and chattels; that the same are free from all encumbrances; that Seller has good right to sell the same as aforesaid; and, that Seller will Warrant and defend the sale of the said property, goods and chattels hereby made, unto the Buyer, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, Seller has hereunto set their hands and seal(s) this _____ day of _____, 2015.

Signed, sealed and delivered in the presence of:

Congress Avenue Properties, Ltd., a Florida limited partnership,

Print Name _____

By: _____

Name: _____

Its: _____

Print Name _____

STATE OF FLORIDA)
)ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by _____ as _____ on behalf of Congress Avenue Properties, Ltd., a Florida limited partnership, who is personally known to me.

NOTARY PUBLIC
State of Florida at Large
My Commission Expires:

BUYER – TOWN OF LAKE PARK

BY: *James Dubois*
James Dubois, Mayor

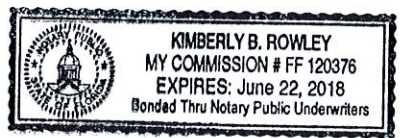
ATTESTED BY: *Vivian Mendez*
Vivian Mendez, Town Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

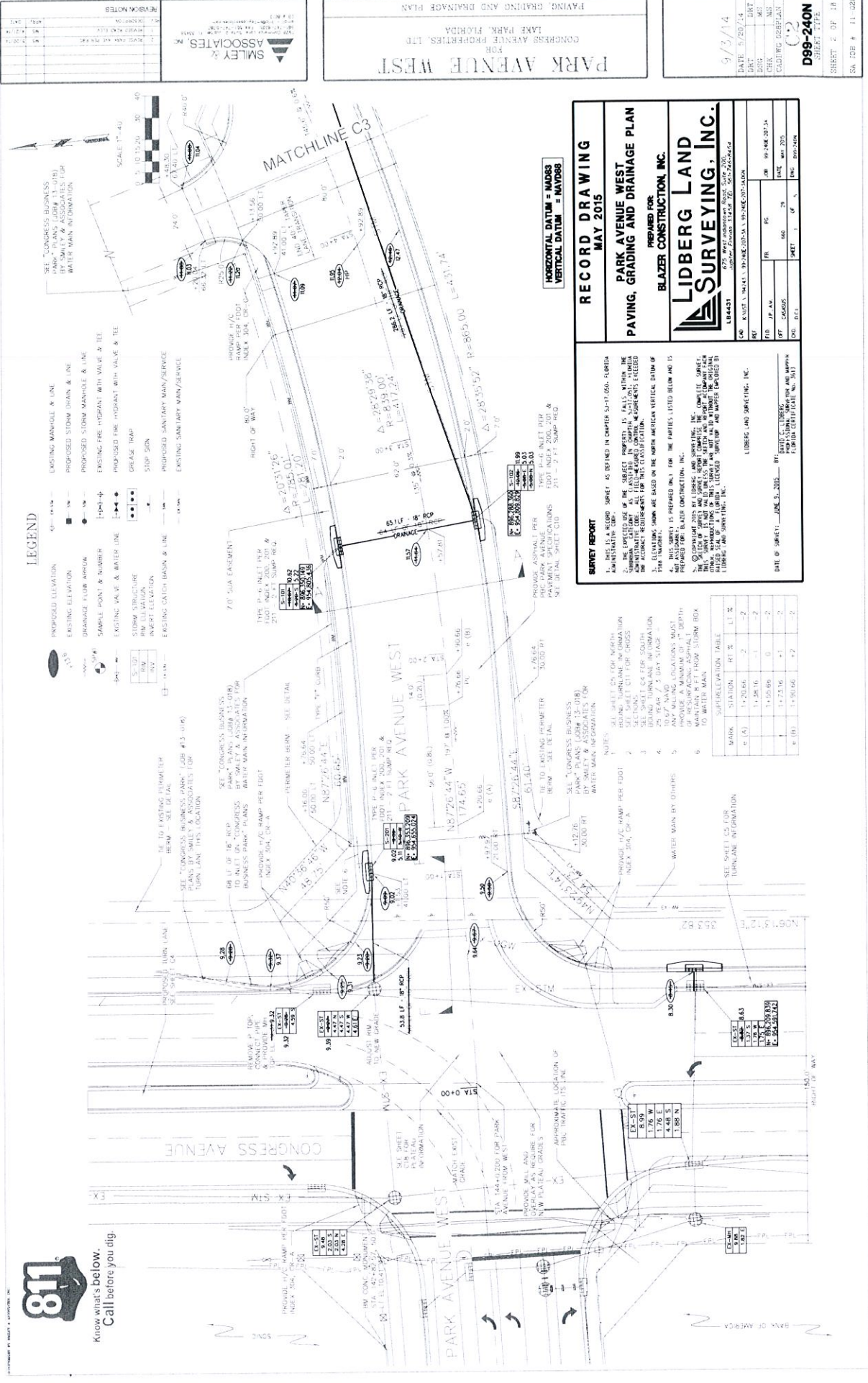
BY: *Thomas J. Baird*
Thomas J. Baird
Town Attorney

The foregoing instrument was acknowledged before me this 8th day of October, 2015, by **JAMES DUBOIS**, Mayor of the Town of Lake Park. He is personally known to me or has produced a Florida drivers license as identification.



Kimberly B. Rowley
Notary Public, State of Florida
Print Name: Kimberly B. Rowley
My Commission Expires: 6/22/2018

[NOTARY SEAL]



Know what's below.
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REVISION NOTES

NO.	DATE	DESCRIPTION
1	11/17/14	ISSUED FOR PERMITS
2	11/17/14	ISSUED FOR PERMITS
3	11/17/14	ISSUED FOR PERMITS
4	11/17/14	ISSUED FOR PERMITS
5	11/17/14	ISSUED FOR PERMITS
6	11/17/14	ISSUED FOR PERMITS
7	11/17/14	ISSUED FOR PERMITS
8	11/17/14	ISSUED FOR PERMITS
9	11/17/14	ISSUED FOR PERMITS
10	11/17/14	ISSUED FOR PERMITS



PARK AVENUE WEST
FOR
CONGRESS AVENUE PROPERTIES, LTD.
LAKELAND, FLORIDA
PAVING, GRADING AND DRAINAGE PLAN

9/3/14

DATE	10/20/14
DRAWN	JLS
CHECK	JLS
DATE	10/20/14
SCALE	AS SHOWN
PROJECT	PARK AVENUE WEST
SHEET	1 OF 5

D99-240N
SHEET 1 OF 5

RECORD DRAWING
MAY 2015

**PARK AVENUE WEST
PAVING, GRADING AND DRAINAGE PLAN**

PREPARED FOR
BLAZER CONSTRUCTION, INC.

LIDBERG LAND SURVEYING, INC.

DATE	10/20/14
DRAWN	JLS
CHECK	JLS
DATE	10/20/14
SCALE	AS SHOWN
PROJECT	PARK AVENUE WEST
SHEET	1 OF 5

SURVEY REPORT

1. THIS IS A RECORD SURVEY AS DEFINED IN CHAPTER 347.00, FLORIDA ADMINISTRATIVE CODE. THE SUBJECT PROPERTY IS SITES WITHIN THE SUBDIVISION AS CARRIED BY THE MAPS AND PLANS FILED WITH THE COUNTY CLERK'S OFFICE AND THE COUNTY ENGINEER'S OFFICE. ALL ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL UNLESS OTHERWISE SPECIFIED.

2. ELEVATIONS SHOWN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.

3. THE VERTICAL DATUM IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.

4. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

5. THE LOCATION OF ANY AND ALL UTILITIES ARE SHOWN AS ACCORDING TO THE RECORD SURVEY. THE LOCATION OF ANY AND ALL UTILITIES NOT SHOWN ON THIS PLAN ARE THE RESPONSIBILITY OF THE CONTRACTOR.

6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES NOT SHOWN ON THIS PLAN.

DATE OF SURVEY: JUNE 3, 2012 BY: JEFFREY C. LIDBERG, LICENSED SURVEYOR, LICENSE NO. 1811

LIDBERG AND SURVEYING, INC.

SUPERELEVATION TABLE

MARK	STATION	RT %	LT %
w (A)	1+20.66	-2	-2
w (A)	1+28.16	-1	-2
w (A)	1+55.00	0	-2
w (B)	1+73.16	+1	-2
w (B)	1+90.66	+2	-2

NOTES:

- SEE SHEET C3 FOR MATCHLINE INFORMATION.
- SEE SHEET C2 FOR CROSSING INFORMATION.
- SEE SHEET C1 FOR SOUTH BOUNDING INFORMATION.
- TO OBTAIN A DAY STRIP, ANY MILLING OPERATIONS MUST BE COMPLETED AT LEAST 14 DAYS PRIOR TO THE DATE OF CONSTRUCTION.
- MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES NOT SHOWN ON THIS PLAN.

PLUT ARCHITECTURE AND ENGINEERING, INC.



Know what's below.
Call before you dig.

LEGEND

- (S) PROPOSED ELEVATION
- (E) EXISTING ELEVATION
- DRAINAGE FLOW ARROW
- EXISTING VALVE & WATER LINE
- STORM STRUCTURE
- EXISTING LATCH BASH & LHM
- EXISTING MANHOLE & IPE
- PROPOSED STORM BRICK & IPE
- PROPOSED STORM MANHOLE & IPE
- EXISTING IPE HYDRANT WITH VALVE & TEE
- STOP SIGN
- EXISTING TANK/BOY WALL/SPACE

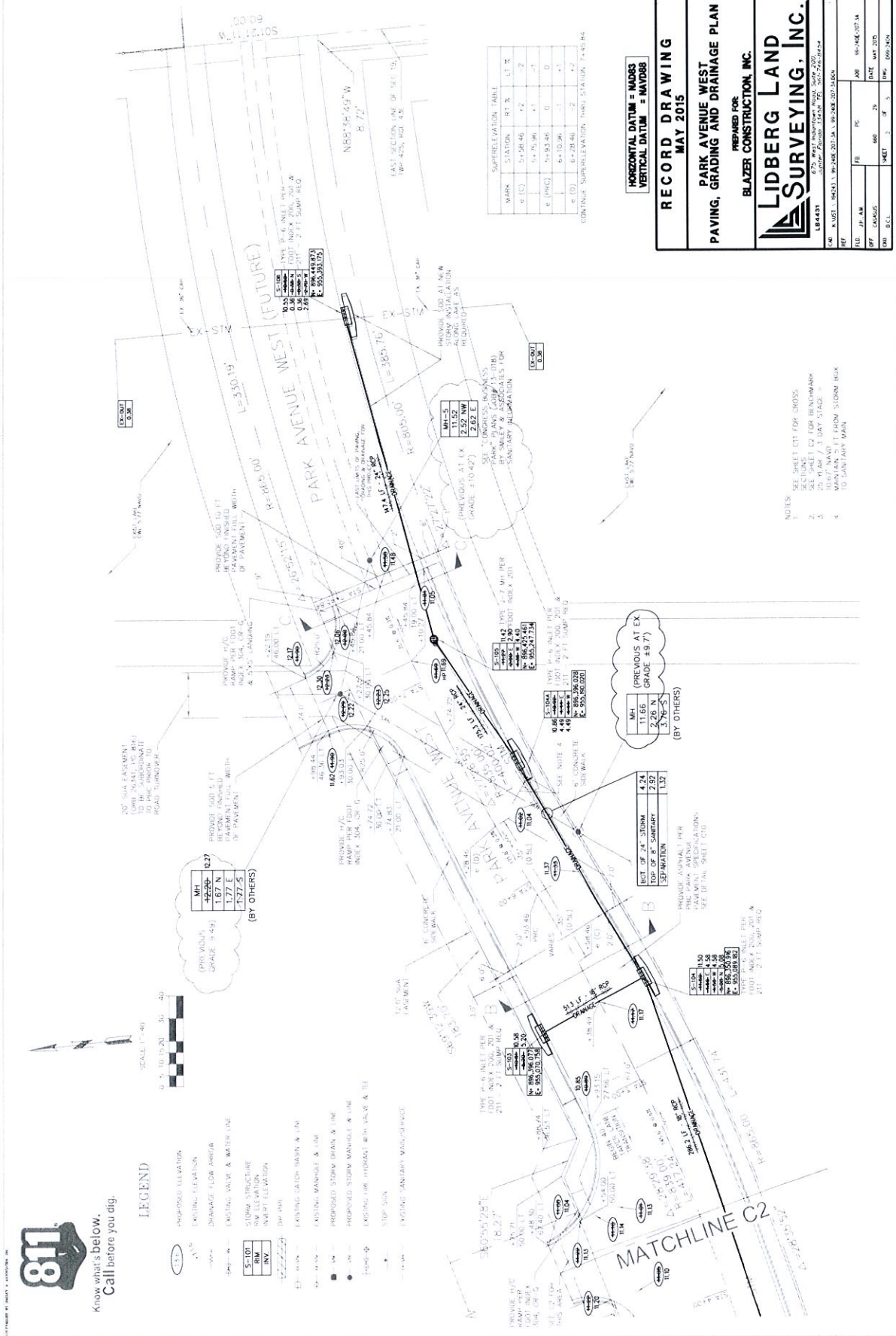


REVISION NOTES

NO.	DATE	DESCRIPTION
1	05/20/14	ISSUED FOR PERMITS
2	05/20/14	ISSUED FOR PERMITS
3	05/20/14	ISSUED FOR PERMITS
4	05/20/14	ISSUED FOR PERMITS
5	05/20/14	ISSUED FOR PERMITS

PARK AVENUE WEST
FOR
CONGRESS AVENUE PROPERTIES, LTD
LAKELAND, FLORIDA
PAVING, GRADING AND DRAINAGE PLAN

DATE: 5/20/14	DESIGNER: [Signature]
DRAWN BY: [Signature]	CHECKED BY: [Signature]
DATE: 5/20/14	DATE: 5/20/14
PROJECT NO: 140301	SHEET NO: 11 OF 18



RECORD DRAWING
MAY 2015

PARK AVENUE WEST
PAVING, GRADING AND DRAINAGE PLAN

PREPARED FOR
BLAZER CONSTRUCTION, INC.

LIDBERG LAND SURVEYING, INC.

675 W. PARK AVENUE, SUITE 200, LAKELAND, FL 33801
TEL: 888.888.8888 FAX: 888.888.8888

DATE: 5/20/14	DATE: 5/20/14
PROJECT NO: 140301	SHEET NO: 11 OF 18

- NOTES
- SEE SHEET C11 FOR CROSS SECTIONS TO BE SUBMITTANT TO THE CITY OF LAKELAND.
 - SEE SHEET C12 FOR CROSS SECTIONS TO BE SUBMITTANT TO THE CITY OF LAKELAND.
 - SEE SHEET C13 FOR CROSS SECTIONS TO BE SUBMITTANT TO THE CITY OF LAKELAND.
 - SEE SHEET C14 FOR CROSS SECTIONS TO BE SUBMITTANT TO THE CITY OF LAKELAND.

9/3/14

Pg. 3 of 5



REGISTERED BY STATE OF CALIFORNIA

NO.	DATE	DESCRIPTION
1	05/20/14	ISSUED FOR PERMITS
2	05/20/14	ISSUED FOR PERMITS
3	05/20/14	ISSUED FOR PERMITS
4	05/20/14	ISSUED FOR PERMITS
5	05/20/14	ISSUED FOR PERMITS

SMILEY & ASSOCIATES
 1100 N. GARDEN AVENUE, SUITE 200
 ANAHEIM, CA 92810
 (714) 771-8800
 www.smileyandassociates.com

PARK AVENUE WEST
 FOR
 CONGRESS AVENUE PROPERTIES, LTD
 LAKELAND, FLORIDA
 PAVING, GRADING AND DRAINAGE PLAN & DETAIL

DATE: 5/20/14
 DESIGNED BY: MJD
 CHECKED BY: MJD
 CALCULATING USEDFEET: C.A.
 SHEET NO.: D99-240N
 SHEET TYPE: C.A.
 SHEET 4 OF 18
 JOB # 11-0226

SCALE: 1"=40'
 0 5 10 20 30 40

LEGEND

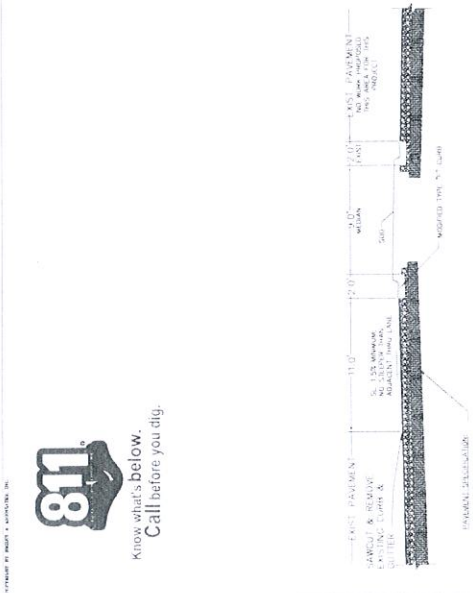
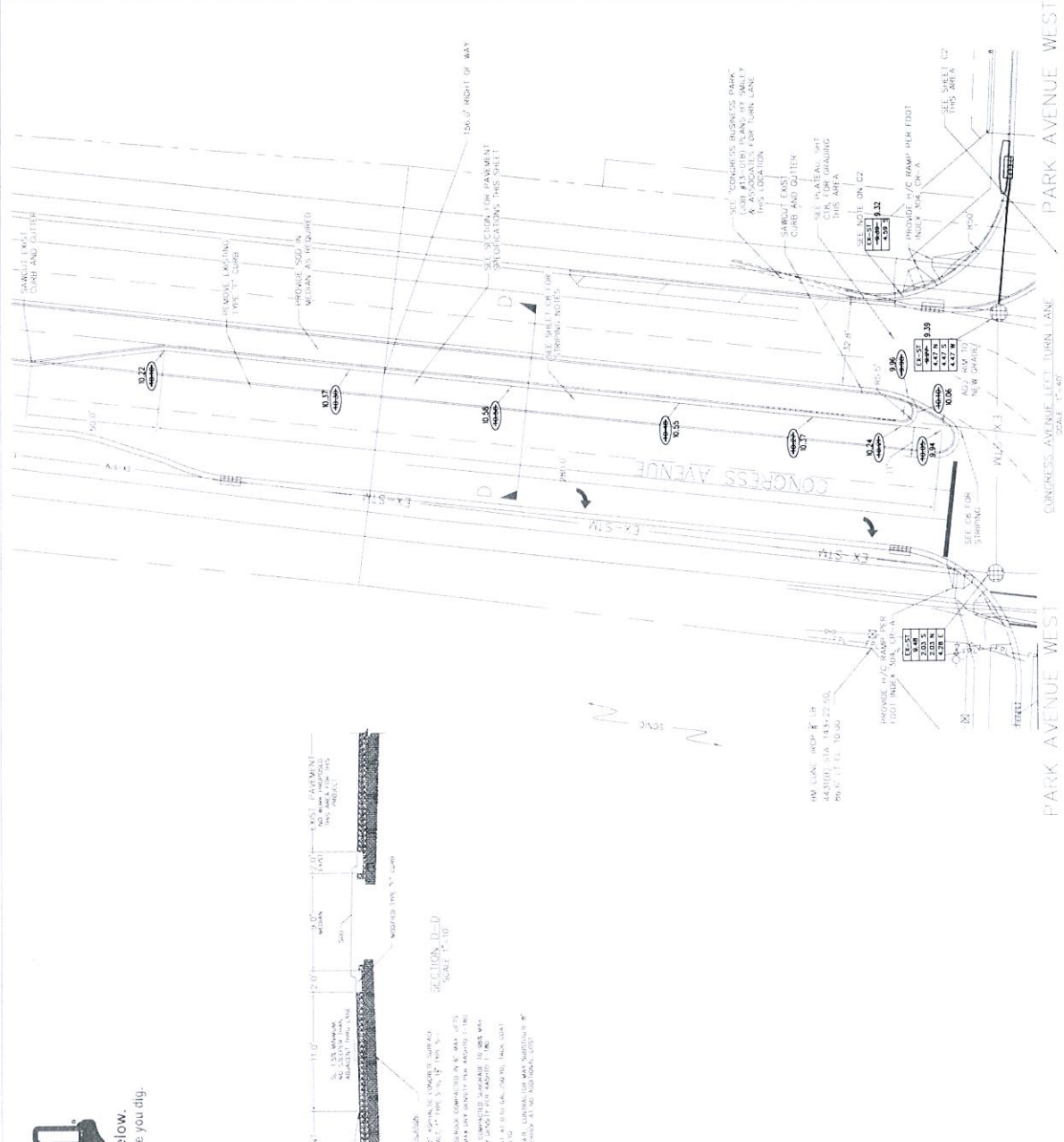
- PROPOSED ELEVATION
- EXISTING ELEVATION
- DRAINAGE FLOW ARROW
- EXISTING VALVE & WATER LINE
- STORM STRUCTURE
- STORM MANHOLE
- STORM INLET ELEVATION
- DRP APP
- EXISTING CATCH BASIN & LINE
- EXISTING MANHOLE & LINE
- PROPOSED STORM MAIN & LINE
- PROPOSED STORM MANHOLE & LINE
- EXISTING FIRE HYDRANT WITH VALVE & TEE
- STOP SIGN
- EXISTING SANITARY MAIN/SEWER

RECORD DRAWING
 MAY 2015
PARK AVENUE WEST
 PAVING, GRADING AND DRAINAGE PLAN
 PREPARED FOR
BLAZER CONSTRUCTION, INC.
LIDBERG LAND SURVEYING, INC.

HORIZONTAL DATUM = NAD83
 VERTICAL DATUM = NAVD83

DATE	5/20/14
DESIGNED BY	MJD
CHECKED BY	MJD
CALCULATING USEDFEET	C.A.
SHEET NO.	D99-240N
SHEET TYPE	C.A.

DATE	5/20/14
DESIGNED BY	MJD
CHECKED BY	MJD
CALCULATING USEDFEET	C.A.
SHEET NO.	D99-240N
SHEET TYPE	C.A.



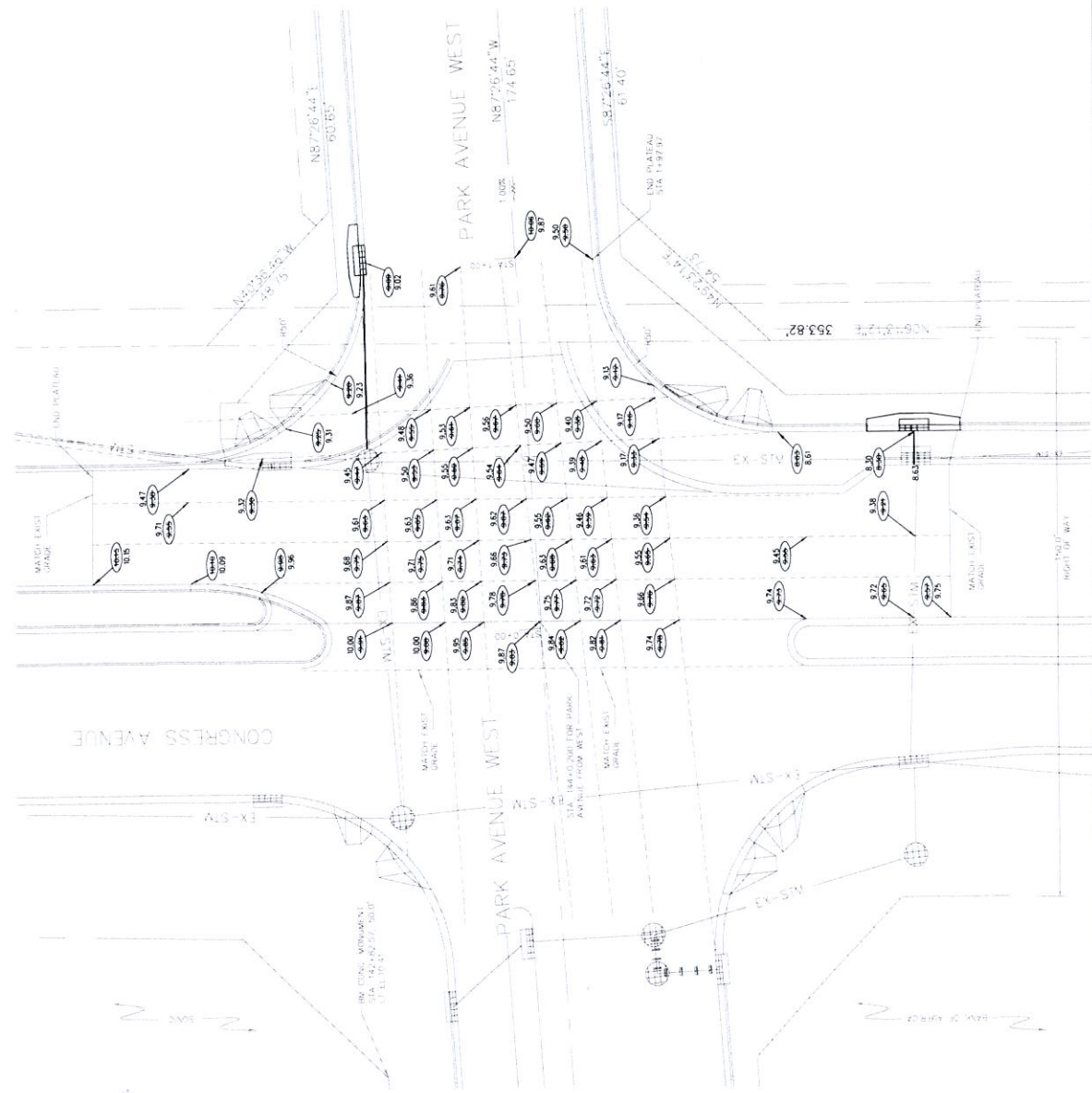
SECTION D-D
 SCALE: 1"=10'

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2012 EDITION, AS AMENDED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, 2013 EDITION, AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, 2014 EDITION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE LOCAL AGENCIES.

Pg. 5 of 5

811 Know what's below. Call before you dig.



NO.	DESCRIPTION	DATE

SMILEY & ASSOCIATES
 1201 PARK AVENUE WEST
 LAKE PARK, FLORIDA 32909
 PHONE: (888) 684-9933
 FAX: (888) 684-9934
 WWW: WWW.SMILEY-FL.COM

PARK AVENUE WEST
 CONGRESS AVENUE PROPERTIES, L.P.
 INTERSECTION PLATFORM

5/3/14

DATE	DESCRIPTION
5/3/14	ISSUE FOR PERMIT

D99-240N
 SHEETS: 18 OF 18
 STA. 1028 + 11 022b



LEGEND

- PROPOSED ELEVATION: 1.5'-0.0" (circle with 1.5)
- EXISTING ELEVATION: 2.5'-0.0" (circle with 2.5)
- DRAINAGE FLOW ARROW: arrow with 'D'
- EXISTING PAVE. & WATER JOE: dashed line
- SEWER STRUCTURE: circle with 'S'
- RM ELEVATION: circle with 'RM'
- ASPH. ELEVATION: circle with 'ASPH.'
- DEP. MARK: dashed line with 'DEP.'
- EXISTING LOT/BLK. MARK & LINE: solid line
- EXISTING MANHOLE & LINE: circle with 'M'
- PROPOSED STORM DRAIN & JOE: dashed line
- PROPOSED STORM MANHOLE & JOE: circle with 'M'
- EXISTING FIRE HYDRANT WITH VALVE & ICE: circle with 'H'
- STOP SIGN: octagon with 'X'
- EXISTING SANITARY MAIN/SERVICE: dashed line

HORIZONTAL DATUM = NAD83
 VERTICAL DATUM = NAVD83

RECORD DRAWING
MAY 2015

PARK AVENUE WEST
 PAVING, GRADING AND DRAINAGE PLAN
 PREPARED FOR:
BLAZER CONSTRUCTION, INC.



PROJECT	PARK AVENUE WEST PAVING, GRADING AND DRAINAGE PLAN
DATE	MAY 2015
DRAWN BY	CS
CHECKED BY	MM
DATE CHECKED	MAY 2015
SCALE	AS SHOWN