

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING FOR FIRST READING OF ORDINANCE NO. 1034 AND APPROVAL OF APPLICATION NO. 22-124 (RZ), AN APPLICATION BY URBAN DESIGN STUDIOS, THE APPLICANT IS SEEKING A REZONING OF TEN (10) TRACTS OF LAND TOTALING 31.846± ACRES, MORE OR LESS, FROM THE VILLAGE'S GENERAL COMMERCIAL (CG) ZONING DISTRICT TO THE VILLAGE'S MIXED USE SOCIAL CENTER (MXS) ZONING DISTRICT AND FOR FIVE (5) TRACTS OF LAND TOTALING 9.289± ACRES FROM PALM BEACH COUNTY'S AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT TO THE VILLAGE'S MIXED USE SOCIAL CENTER (MXS) ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 7/10 OF A MILE WEST OF STATE ROAD 7. BY AGENT: LENTZY JEAN-LOUIS.

Issue:

The Applicant is seeking to Rezone ten (10) tracts totaling approximately 31.846± acres of land from Village's General Commercial (CG) Zoning District to the Village's Mixed Use Social Center Zoning District and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's Agricultural Residential (AR) Zoning District to the Village's Mixed Use Social Center (MXS) Zoning District, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

Overall, the proposed Rezoning from the Village's General Commercial (CG) Zoning District and Palm Beach County's Agricultural Residential (AR, PBC) Zoning District to the Village's Mixed Use Social Center (MXS) Zoning District is consistent with the Village's Comprehensive Plan, Zoning Code of Ordinances, compatible with adjacent future land uses, and meets all relevant concurrency level of service standards.

The Local Planning Agency considered the application and Ordinance No. 1034 on December 13, 2022 and recommended _____ by a vote of X - X.

Recommended Action:

Staff recommends Approval of Application No. 22-124 (RZ) and Ordinance No. 1034 on First Reading.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	12/15/22	Action

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Tuttle Royale Pod 6

Application: 22-124 (RZ) (Ord. No. 1034)

Applicant: Urban Design Studios
Lentzy Jean-Louis
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

Request: Rezoning for ten (10) tracts of land totaling 31.846± acres of land from the Village's General (CG) Zoning District to the Mixed Use Social Center (MXS) Zoning District and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's Agricultural Residential (AR) Zoning District to the Village's Mixed Use Social Center (MXS) Zoning District, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

Hearings: Planning and Zoning Commission: December 13, 2022
Village Council (First Reading): December 15, 2022
Village Council (Second Reading): January 19, 2023

Recommendation: Approval

II. Site Data:

Site Area: 41.135± acres

Property Control Numbers: 72 41 43 36 00 000 7080, 7090, 7100;
72-41-43-36-12-004-0010, 0021, 0022; 0023;
72-41-43-36-12-012-0000; 72-42-43-27-05-009-
0093, 0098, 0094, 0091, 0101; 72-41-43-36-12-004-
0011; 72-41-43-36-00-000-7370, 7380

Existing Land Use: Single Family Residential

Existing FLUM Designation: Low Residential (LR-2, PBC) & Commercial (COM)

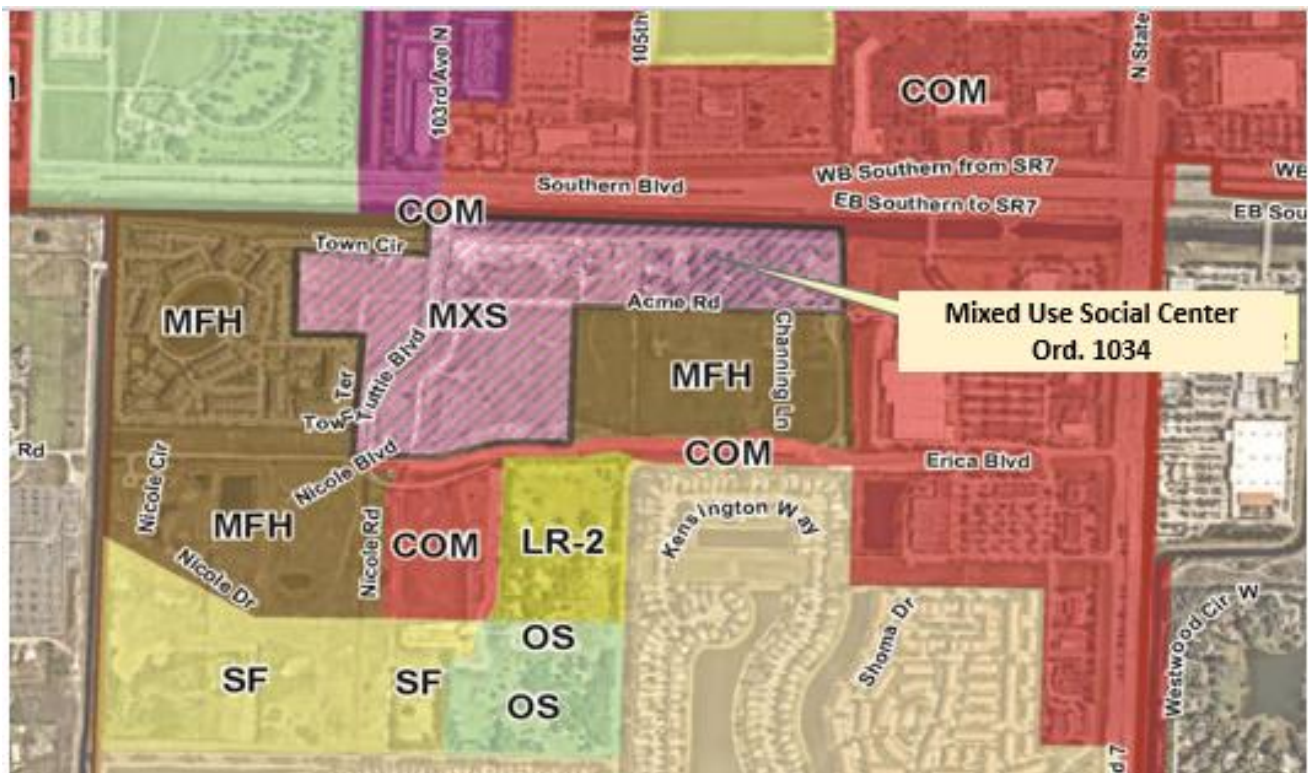
Proposed FLUM Designation: Mixed Use Social Center (MXS)

Existing Zoning District: Agriculture Residential (AR, PBC) & General Commercial (CG)

Proposed Zoning: Mixed Use Social Center (MXS)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
North	Al Packer, Autozone	Commercial (COM)	General Commercial (CG)
South	Pod 7 & Bell Property	Commercial (COM) & Low Residential (LR-2, PBC)	General Commercial (CG) & Agricultural Residential (AR, PBC)
East	Pod 3 & Lowes	Multi-Family High Density Residential, Commercial (COM)	Multi-Family Residential (RM-14) & General Commercial (CG)
West	Phase 1 North	Multi-Family High Density Residential (MFH)	Multi-Family Residential (RM-18)

Directly below is an aerial showing the location and extent of the affected area:



III. Intent of Petition:

The Applicant is seeking to Rezone ten (10) tracts totaling approximately 31.846± acres of land from Village's General Commercial (CG) Zoning District to the Village's Mixed Use Social Center Zoning District and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's Agricultural Residential (AR) Zoning District to the Village's Mixed Use Social Center (MXS) Zoning District, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

IV. History:

The subject property is located on the south side of Southern Boulevard and west of State Road 7. The parcels are contiguous to the Village boundary on the north and south sides and adjacent to Wellington's boundary on the west side. The properties were recently annexed into the Village Boundary by adoption of Ordinances 918 and 919 by the Village Council on September 17, 2015 and September 3, 2015, respectively. These properties were given a Commercial (COM) Land Use Designation and General Commercial (CG) Zoning Designation in 2019. The Village Council on September 18, 2022 adopted Ordinance No. 1028 in order to amend the Village's Comprehensive Plan's Future Land Use Element to add an entirely new *Mixed Use Social Center (MXS)* Land Use Designation. The intent of the amendment was to create a Future Land Use Designation that allows for "innovative, and urban mixed use developments that provide integrated, vibrant, compatible, and complimentary uses within a single development." The Village Council on November 17, 2022 approved on first reading Ordinance No. 1027 which amend the Village's Zoning Code to add an entirely new *Mixed Use Social Center (MXS)* Zoning District.

V. Analysis:

The Applicant is seeking to Rezone ten (10) tracts totaling approximately 31.846± acres of land from Village's General Commercial (CG) Zoning District to the Village's Mixed Use Social Center Zoning District and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's Agricultural Residential Zoning District to the Village's Mixed Use Social Center (MXS) Zoning District, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

In reviewing the proposed Rezoning of the parcels to the Village's Mixed Use Social Center Zoning District, Village Staff considered compatibility with adjacent land uses, consistency with the Village's Comprehensive Plan and conformance with the Mixed Use Social Center development standards on Section 26-95. Village Staff also considered Pod 6 in relation to the overall proposed Master Plan for this this area. The proposed Master Plan is provided in **Attachment B** for your reference to give the Applicant's overall vision for this area and relation of Pod 6 to the other applications relating to this area.

The Applicant asserts that the proposed Rezoning is consistent with the Village of Royal Palm Beach's Comprehensive Plan and Section 26-32 (f) (3) b. The Applicant has provided a narrative demonstrating consistency with Section 26-32 (f) (3) b. of the Village's Code of Ordinances and they are as follows:

Consistency with Section 26-32 (f) (3) b.

1. *If the action requested will contribute to a condition of public hazard as described in the sanitary sewer, solid waste, drainage, and potable water sub elements of the comprehensive plan;*

The action requested is consistent with the Level of Standards for infrastructure and required services. Service capacity has been confirmed and infrastructure needed to serve the new development will be in place prior to or provided concurrently with development of the subject site. The action requested will not contribute to a condition of public hazard.

2. *If action requested will exacerbate any existing public facility capacity deficits as described in the traffic circulations elements; sanitary sewer, solid waste, drainage, portable water element and recreation and open space element of the comprehensive plan.*

Traffic Circulation Element – Traffic Circulation Element- As discussed previously in this statement, a Traffic Analysis has been undertaken for the site to determine compliance with the County's Traffic Performance Standards (TPS). The analysis includes evaluations of significantly impacted roadways and intersections.

Staff Comment: A Traffic Performance Standards Letter has been issued by Palm Beach County's Department of Engineering and Public Works. Based on the review, the Traffic Division has determined that the proposed development **MEETS** the Traffic Performance Standards (TPS) of Palm Beach County, subject to the following conditions:

1. No Building Permits for the site may be issued after December 31, 2025. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code.
2. Building Permits for more than 381 inbound AM trips shall not be issued until the Property Owner/Developer makes a proportionate share payment of the overall construction cost of widening of the following roadways:
 - a. 13.2% of the cost of widening Southern Blvd from Big Blue Trace to Palms West Pkwy (EB) from 6 lanes divided to 8 lanes divided.
 - b. 13.2% of the cost of widening Southern Blvd from Palms West Pkwy to Forest Hill Blvd (EB) from 6 lanes divided to 8 lanes divided.
 - c. 17.4% of the cost of widening Southern Blvd from Royal Palm Beach to Lamstein Lane (EB) from 8 lanes divided to 8+ lanes divided.
 - d. 25.3% of the cost of widening Southern Blvd from Lamstein Lane to 103rd Road (EB) from 8 lanes divided to 8+ lanes divided.
3. No Certificate of Occupancy shall be issued until the Property Owner/Developer completes construction of the Access Road connecting SR- 80 and SR-7 through the property. Note that this roadway shall always be open to the public with no impediments to travel between SR-80 and SR-7.
4. No Certificate of Occupancy shall be issued until the Property Owner/Developer completes conversion of the directional opening on SR-7 at Lowe's Road to a full signalized intersection as approved by FDOT
5. The Property Owner/Developer shall fund the cost of signal installation, if warranted as determined by the FOOT/County Engineer, at Lowes restricted median opening at SR-7. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

- a. Building Permits shall not be issued until the developer provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division.
- b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner/Developer shall provide written notice to the Traffic Division stating that the final certificate of occupancy for the overall Village Royale Masterplan has been issued and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner.

Sanitary sewer - Pod 6 is serviced by the Village of Wellington and per the confirmation received from Village of Wellington on August 1, 2022, capacity is available and consistent with this policy.

Solid Waste - Solid waste services are contracted by the Village of Royal Palm Beach for all properties located within the Village. The project will be serviced by the solid waste provider for solid waste services.

Drainage – As stated earlier in heading in this report under the heading *Policy PW-1.2.2*, a letter from licensed engineer Adam Swaney of Engenuity Group and dated July 7, 2022 confirms that the drainage design will address the drainage demands for the subject site in compliance with the Village requirements. The site has legal positive outfall to the LWDD's S-4 canal.

Potable Water - Pod 6 is serviced by the Village of Wellington and per the confirmation received from Village of Wellington on August 1, 2022, capacity is available and consistent with this policy.

Recreation and Open Space - The proposed Rezoning will not exacerbate any existing recreation or open space deficits. Any Site Plan proposed utilizing the MXS Zoning Designation will be required to meet minimum recreation and open space standards set forth in the Village Code and Comprehensive Plan.

School Concurrency – The Applicant has received a School Capacity Availability Determination (SCAD) letter which states: “Based on the findings and evaluation of the proposed development, there will be a negative impact on the public-school system. Therefore, if the proposed development is approved by Village Council, School District Staff recommends the following condition to mitigate such impacts: In order to address the school capacity deficiency generated by this proposed development at the District elementary, and high school level, the property owner shall contribute a total of \$92,919.00 to the School District of Palm Beach County prior to the issuance of the first building permit.

3. *If the action requested will generate public facility demands that may be accommodated by capacity increases planned in the five-year schedule of improvements established by the comprehensive plan.*

The action requested will not generate public facility demands that will affect capacity increases in the five year plan as it relates to sanitary sewer, solid waste, drainage, portable water element. Please refer to the documents referenced above in the response to item number 2 and included with this request which confirms capacity and service for the proposed development. Additionally, the developer is required to participate in the proportionate share of any improvement cost necessary and/or provide Infrastructure needed to serve the new development.

4. *If the action requested conforms with future land uses as shown on the future land use map of the future land use element of the comprehensive plan.*

The proposed rezoning is entirely consistent with many of the Directives, Goals, Objectives and Policies of the Village of Royal Palm Beach Comprehensive Plan as provided in the justification statement under “Consistency with the Comprehensive Plan”. The action requested will amend the Zoning Map and conform to the Future Land Use Map upon adoption of the Zoning Map Amendment by Village Council.

5. *If public facilities are developer provided, will the action requested accommodate public facility demand based on LOS standards?*

Please refer to the documents referenced above in requirement number 2 and included with this request which confirms capacity and service for the proposed development. The developer is required to participate in the proportionate share of any improvement cost necessary and/or provide infrastructure needed to service the proposed development.

6. *If public facilities are provided in part or whole by the Village, is the action financially feasible subject to the capital improvement element of the comprehensive plan.*

Please refer to the documents referenced above in requirement number 2 and included with this request which confirms capacity and service for the proposed development. The developer is required to participate in the proportionate share of any improvement cost necessary and/or provide infrastructure needed to service the proposed development.

Overall, the proposed Rezoning from Palm Beach County’s Agricultural Residential (AR, PBC) and the Village of Royal Palm Beach’s General Commercial (CG) Zoning District to the Village’s Mixed Use Social Center (MXS) Zoning District is consistent with the Village’s Comprehensive Plan and Zoning Code of Ordinances; compatible with adjacent future land uses; and meets all relevant concurrency level of service standards.

VI. Staff Recommendation:

Staff recommends Approval of Application No. 22-124 (RZ) and Ordinance No. 1034.

VII. Hearing History:

Planning and Zoning Commission:

The Local Planning Agency considered the application and Ordinance No. 1034 on December 13, 2022 and recommended _____ by a vote of X-X.

Village Council (First Reading):

The Village Council considered Ordinance No. 1034 on first reading on December 15, 2022 and recommended _____ by a vote of X-X.

**Attachment A
Legal Description
Tuttle Royale Pod 6
Application No. 22-124 (RZ)
Ordinance No. 1034**

POD 6 LEGAL DESCRIPTION:

A PARCEL OF LAND BEING ALL OF TRACTS DT-1 AND DT-2 OF THE PLAT OF TUTTLE ROYALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 101 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

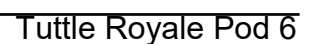
TOGETHER WITH A PORTION OF TRACT 9 AND 10, BLOCK 9 OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 1319.62 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTOR ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN04901-2003; THENCE S88°52'41"E, A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1963.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY S87°52'10"E A DISTANCE OF 36.50 FEET; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY THE FOLLOWING TWO CALLS S88°13'01"E A DISTANCE OF 957.09 FEET; THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO A POINT ON THE WESTERLY LINE OF THE PLAT OF LOWE'S HOME CENTER AS RECORDED IN PLAT BOOK 87, PAGE 193 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WESTERLY LINE S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE LEAVING SAID WESTERLY LINE N88°18'13"W A DISTANCE OF 154.82 FEET TO A POINT ON THE EASTERLY LINE OF AN 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE S01°05'13"E A DISTANCE OF 15.60 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT DT-3 OF SAID PLAT OF TUTTLE ROYALE; THENCE ALONG SAID NORTHERLY LINE N88°33'11"W A DISTANCE OF 1048.97 FEET; THENCE LEAVING SAID NORTHERLY LINE N01°31'44"E A DISTANCE OF 341.89 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 41.135 ACRES MORE OR LESS.

Directly below is an illustration of the Master Plan.



ORDINANCE NO. 1034

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE VILLAGE; WHICH PROPERTY CONSISTS OF FIFTEEN (15) PARCELS OF LAND COMPRISING A TOTAL OF 41.135± ACRES, MORE OR LESS, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD AND APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 / US 441, INFORMALLY KNOWN AS THE “SOUTHERN BOULEVARD PROPERTIES POD 6”; PROVIDING THAT THESE PARCELS OF REAL PROPERTY WHICH ARE MORE SPECIFICALLY DESCRIBED HEREIN SHALL BE ASSIGNED THE VILLAGE ZONING DESIGNATION OF “MXS MIXED USE SOCIAL CENTER”; PROVIDING THAT THE ZONING MAP OF THE VILLAGE OF ROYAL PALM BEACH BE AMENDED TO REFLECT THE PROPER DESIGNATION FOR THESE PARCELS OF REAL PROPERTY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, after duly noticed public hearings, held pursuant to Florida Statutes, the Village Council does hereby find, determine and declare that the public health, safety and general welfare of the citizens of the Village of Royal Palm Beach are best served by assigning those fifteen (15) parcels of real property described hereinbelow, located within the Village, the zoning designation of “MXS Mixed Use Social Center District.”

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Those certain parcels of real property located within the corporate limits of the Village of Royal Palm Beach consisting of a total of 41.135± acres located on the South Side of Southern Boulevard and approximately 0.27 miles West of State Road 7 / US 441, informally known as the “Southern Boulevard Properties POD 6”, are hereby zoned Village Zoning Designation “MXS Mixed Use Social Center District,” a change from their previous Palm Beach County Zoning Designations of Agricultural Residential District (AR), and their previous Village Zoning Designations of General Commercial (CG), and are legally described as follows:

(See Exhibit A attached hereto for legal description)

Section 2: The Village Zoning Map is hereby amended to conform to this Ordinance, and the appropriate officials of the Village are instructed to make the necessary changes to the official Village Zoning Map.

Section 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby

repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: This Ordinance shall take effect immediately upon passage.

FIRST READING this 15th day of December, 2022.

SECOND AND FINAL READING this 19th day of January, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

(SEAL)

ATTEST:

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Southern Boulevard Properties POD 6
Application No. 22-124(RZ)
Ordinance No. 1034

DESCRIPTION:

POD 6 LEGAL DESCRIPTION:

A PARCEL OF LAND BEING ALL OF TRACTS DT-1 AND DT-2 OF THE PLAT OF TUTTLE ROYALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 101 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

TOGETHER WITH A PORTION OF TRACT 9 AND 10, BLOCK 9 OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 1319.62 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTOR ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN04901-2003; THENCE S88°52'41"E, A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1963.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY S87°52'10"E A DISTANCE OF 36.50 FEET; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY THE FOLLOWING TWO CALLS S88°13'01"E A DISTANCE OF 957.09 FEET; THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO A POINT ON THE WESTERLY LINE OF THE PLAT OF LOWE'S HOME CENTER AS RECORDED IN PLAT BOOK 87, PAGE 193 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WESTERLY LINE S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE LEAVING SAID WESTERLY LINE N88°18'13"W A DISTANCE OF 154.82 FEET TO A POINT ON THE EASTERLY LINE OF AN 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE S01°05'13"E A DISTANCE OF 15.60 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT DT-3 OF SAID PLAT OF TUTTLE ROYALE; THENCE ALONG SAID NORTHERLY LINE N88°33'11"W A DISTANCE OF 1048.97 FEET; THENCE LEAVING SAID NORTHERLY LINE N01°31'44"E A DISTANCE OF 341.89 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 41.135 ACRES MORE OR LESS.