

Agenda Item #: 6H

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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Meeting Date: July 11, 2006 [ ] Consent [ ] Regular  
[ ] Workshop [X] Public Hearing

Department:

Submitted By: Engineering and Public Works  
Submitted For: Land Development Division

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A Resolution abandoning an unimproved thirty (30) foot wide road within Palm Beach Farms Plat 3, lying between Tracts 20 and 29 and Tracts 21 and 28, Block 6, Palm Beach Farms Plat 3, as recorded in Plat Book 2, Page 45, Public Records of Palm Beach County, Florida.

**Summary:** This petition site is located on the west side of Pike Road between Belvedere Road and Southern Boulevard. The petitioner is requesting the abandonment to accommodate construction of a fire rescue training facility.

**District:** 6 (PK)

**Background and Policy Issues:** The adjoining land is owned by Palm Beach County. The Fire Rescue Department is proposing to construct a fire-rescue training facility at this location (Petition/Control Number 2005-342, R-2006-0001). The abandonment of this right-of-way is essential in the development of the proposed facility. This unimproved road is not depended upon for access.

Utility service providers have no objection to the vacation.

**Privilege Fee Statement:**

In accordance with the exemption in the Right-of-Way Abandonment and Plat Vacation Ordinance 86-18, as amended, governmental agencies are exempt from the privilege fee.

**Attachments:**

- 1. Location Sketch
- 2. Resolution with Legal Description and Sketch

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Recommended by: [Signature] 7 June 06  
Division Director Date

Approved by: [Signature] 6/26/06  
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
 Program \_\_\_\_\_

B. Recommended Sources of Funds/Summary of Fiscal Impact:

*No Fiscal Impact*

C. Departmental Fiscal Review: *R.D. Ward 6/2/06*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

<p><i>[Signature]</i> 6-29-06                  OFMB  <i>[Signature]</i> 6-29-06  <i>[Signature]</i> 6-28-06</p>	<p><i>[Signature]</i> 6/30/06                  Contract Dev and Control  <i>[Signature]</i> 6/28/06</p>
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B. Legal Sufficiency:

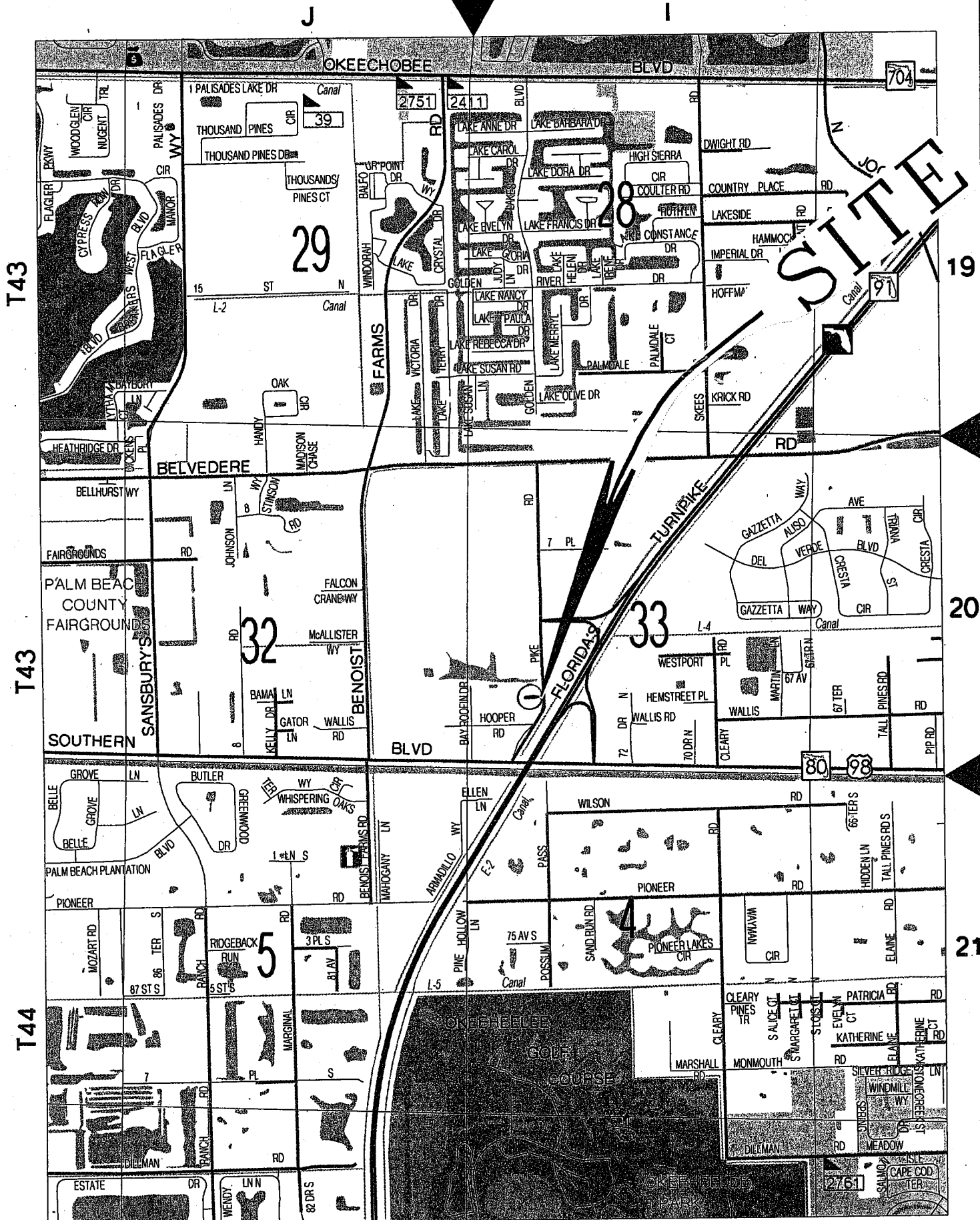
**This item complies with current County policies.**

*Paul F. [Signature]* 7/3/06  
 Assistant County Attorney

C. Other Department Review:

\_\_\_\_\_  
 Division Director

This summary is not to be used as a basis for payment.



**ABANDON AN UNIMPROVED ROAD  
 LOCATED ON THE WEST SIDE OF PIKE ROAD  
 BETWEEN BELVEDERE ROAD & SOUTHERN BOULEVARD.**

**LOCATION SKETCH**

RESOLUTION NO. R-2006-\_\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING AN UNIMPROVED THIRTY (30) FOOT WIDE ROAD WITHIN PALM BEACH FARMS PLAT 3, LYING BETWEEN TRACTS 20 & 29 AND TRACTS 21 & 28, BLOCK 6, PALM BEACH FARMS PLAT 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Section 336.09, Florida Statutes, and Ordinance No. 86-18 known as the Palm Beach County Right-of-Way Abandonment and Plat Vacation Ordinance, as amended, and the petition of Palm Beach County Board of County Commissioners Facilities Development & Operations, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on July 11, 2006, to consider and determine whether or not Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the County to the unimproved right-of-way; and

WHEREAS, in accordance with Ordinance No. 86-18, as amended, notice of the holding of such meeting was duly published in the Palm Beach Post on June 25, 2006; and

WHEREAS, this Board did hold said hearing as advertised and determined that such action will not materially interfere with the County Road System and will not deprive any person of a reasonable means of ingress and egress from at least one County, State or Federal highway.

RESOLUTION NO. R-2006-\_\_\_\_\_

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

1. The foregoing recitals are hereby reaffirmed and ratified.
2. The right-of-way is hereby abandoned and closed as a right-of-way and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to the right-of-way, more fully described in the legal description and sketch attached hereto and made a part hereof.
3. Notice of the adoption of this Resolution shall be published once in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10, Florida Statutes and Ordinance No. 86-18.

RESOLUTION NO. R-2006-\_\_\_\_\_

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:

Commissioner Tony Masilotti, Chair  
Commissioner Addie L. Greene, Vice Chairperson  
Commissioner Karen T. Marcus  
Commissioner Jeff Koons  
Commissioner Warren H. Newell  
Commissioner Mary McCarty  
Commissioner Burt Aaronson

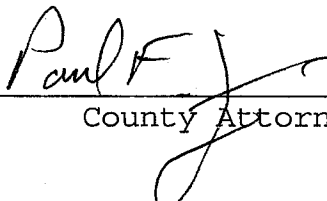
The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2006.

PALM BEACH COUNTY, FLORIDA BY  
ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

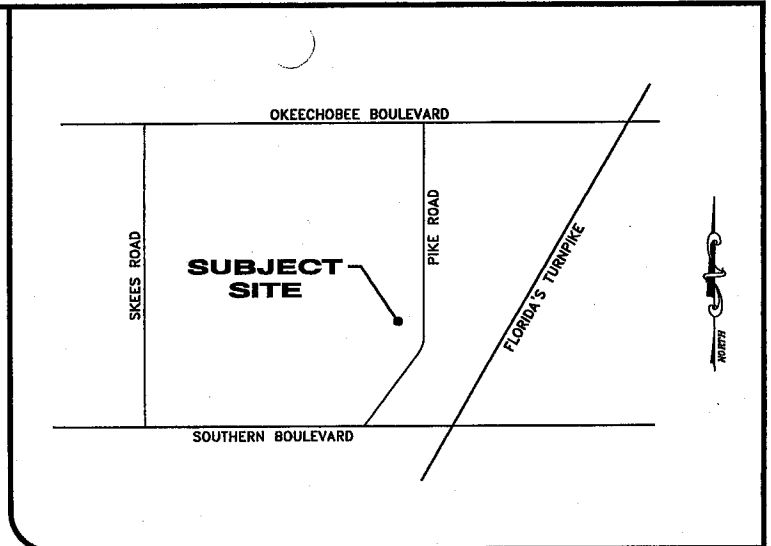
BY: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:  \_\_\_\_\_  
County Attorney

## LEGEND

- P.B. = PLAT BOOK
- O.R.B. = OFFICIAL RECORD BOOK
- PG. = PAGE
- L.B. = LICENSED BUSINESS
- (D) = DISTANCE AS PER LEGAL DESCRIPTION
- (M) = DISTANCE AS PER FIELD MEASURED
- AEL = AERIAL ELECTRIC LINES
- ⊙ = STORM SEWER MANHOLE
- WFB = WIRE PULL BOX
- ☼ = LIGHT POLE
- |— = POSTED SIGNS
- WFB = ELECTRIC BOX
- ⊕ = FIRE HYDRANT
- ⊗ = WATER GATE VALVE
- ←● = WOOD POWER POLE/GUY ANCHOR
- /// = LIMITED ACCESS LINE
- ⊙ = MONITORING WELL



## LAND SURVEYOR'S STATEMENT

WE HEREBY STATE THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY OF THE PROPERTY DESCRIBED IN THE CAPTION THEREOF, MADE UNDER OUR DIRECTION, AND IS ACCURATE TO THE BEST OF OUR KNOWLEDGE AND BELIEF, AND THAT THERE ARE NO APPARENT ENCROACHMENTS, EXCEPT AS SHOWN.

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY MEETS THE TECHNICAL STANDARDS SET FORTH IN CHAPTER 61G17-6, F.A.C. BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE.

F.R.S. AND ASSOCIATES, INC.

BY: \_\_\_\_\_  
GARY P. WILLIAMS, R.L.S.  
FLORIDA CERTIFICATION No. 4817  
FOR THE FIRM



**F.R.S. & ASSOCIATES, INC.**  
 LAND SURVEYORS AND LAND PLANNERS

CERTIFICATE OF AUTHORIZATION NO. LB 4241  
 901 NORTHPOINT PARKWAY, SUITE 301  
 WEST PALM BEACH, FLORIDA 33407-1953  
 PHONE (561)478-7178 FAX (561)478-7922

SCALE: 1" = 200'  
 DATE: 02/27/06

DRAWN BY: LMW  
 APPR. BY: GPW

F.B. NA  
 PG.

CADD REF.  
 I:\DRAW\FIRE RESCUE  
 \30ABANDON

**BOUNDARY SURVEY  
 FOR A 30' ABANDONMENT AT  
 CROSS STATE LANDFILL**

JOB NUMBER:  
**A04-032D**

SHEET 1 OF 3

## LEGAL DESCRIPTION

BEING A PORTION OF THE 30 FOOT ROAD RESERVATION LYING BETWEEN TRACTS 20 AND 29 AND TRACTS 21 AND 28, IN BLOCK 6, PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 4"X 4" PALM BEACH COUNTY CONCRETE MONUMENT WITH A CAPPED IRON ROD AT THE SOUTHWEST CORNER OF SAID TRACT 20; THENCE NORTH 89°01'00" EAST ALONG THE SOUTH LINE OF SAID TRACT 20, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°01'00" EAST ALONG THE SOUTH LINE OF SAID TRACT 20, A DISTANCE OF 839.57 FEET TO THE SOUTH WEST CORNER OF SAID TRACT 21; THENCE CONTINUE NORTH 89°01'00" EAST ALONG THE SOUTH LINE OF SAID TRACT 21, A DISTANCE OF 634.89 FEET TO A POINT ON A LINE THAT IS 25.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 21, SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF PIKE ROAD; THENCE SOUTH 00°57'26" EAST ALONG SAID RIGHT-OF-WAY LINE, 30.00 FEET TO A POINT ON A LINE THAT IS 25.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID TRACT 28 AND ON THE NORTH LINE OF SAID TRACT 28; THENCE SOUTH 89°01'00" WEST ALONG THE NORTH LINE OF SAID TRACT 28, A DISTANCE OF 634.89 FEET TO THE NORTH EAST CORNER OF SAID TRACT 29; THENCE SOUTH 89°01'00" WEST ALONG THE NORTH LINE OF SAID TRACT 29, A DISTANCE OF 839.70 FEET; THENCE NORTH 00°42'35" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.02 ACRES MORE OR LESS.

## SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON REFER TO N 89°01'00"E (STATE PLANE) ALONG THE SOUTH LINE OF TRACT 20, ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. ELEVATIONS SHOWN HEREON REFER TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29).
3. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS FIRM FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD THAT MAY AFFECT THE SUBJECT SITE.
4. UNDERGROUND UTILITIES AND FOUNDATIONS ARE NOT SHOWN.
5. THE RIGHT-OF-WAY, EASEMENTS AND ENCUMBRANCES SHOWN HEREON ARE ACCORDING TO THE TITLE COMMITMENT REPORT PREPARED BY: AMERICAN PIONEER TITLE INSURANCE COMPANY NOW KNOWN AS TICOR TITLE INSURANCE COMPANY OF FLORIDA, COMMITMENT No. CM-1-0429-2456, DATED SEPTEMBER 15, 2004 AT 11:00 P.M. AND COMMITMENT No. CM-0429-2457, DATED SEPTEMBER 15, 2004 AT 11:00 P.M. ALL RIGHT-OF-WAY AND ENCUMBRANCES CONTAINED THEREIN ARE SET FORTH IN THIS SURVEY.
6. THE COORDINATES SHOWN HEREON REFER TO NAD 83 / 1990 ADJUST. THE CONTROL MONUMENTS USED WERE "XSTATE1" AND "XSTATE2", AS SHOWN ON THE "CONTROL SURVEY FOR; SOLID WASTE AUTHORITY", BY GREENHORNE & O'MARA, INC. DATED AUGUST 2000.



**F.R.S. & ASSOCIATES, INC.**  
LAND SURVEYORS AND LAND PLANNERS

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FOR A 30' ABANDONMENT AT  
CROSS STATE LANDFILL**

SHEET 2 OF 3

