

Agenda Item # : **3-C-16**

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: November 21, 2006

☒ Consent

☐ Regular

☐ Workshop

☐ Public Hearing

Department:

Submitted By: Engineering and Public Works

Submitted For: Right-of-Way Acquisition Section

I. EXECUTIVE BRIEF

PBC # 1993901

Motion and Title: Staff recommends motion to Approve: A Release of Drainage Easement Rights.

Summary: This item will release the County's interest in a Drainage Easement, acquired at no cost, that has never been used and is not required. The easement is west of Military Trail, north of the Clayton Hutcheson Building.

District: 6 (PFK)

Background and Justification: In 1981, the County abandoned a portion of Lexington Avenue. As part of that abandonment, the adjacent property owner, Robert C. Malt and Company, beneficiary of the abandonment, was required to donate a Drainage Easement over the west 12' feet of the former Lexington Avenue to the County.

The Drainage Easement has never been used and is not required. Robert C. Malt and Company still owns the property and has requested that the County release the Drainage Easement Rights.

Staff has reviewed the request and recommends approval.

Attachments:

1. Location Map
2. Release of Drainage Easement Rights

Recommended by: _____
Division Director Date

Approved by: By T. Webb 10/25/06
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
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-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____

No ____.

Budget Acct No.: Fund____ Dept.____ Unit____ Object____
Program

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

This item has no additional fiscal impact.

C. Departmental Fiscal Review: P.D. Ward 9/29/06

III. REVIEW COMMENTS

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

Jim Ont 10-26-06
OFMB

Don J. Aron 10/27/06
Contract Dev. and Control
Done 10/27/06

B. Approved as to Form and Legal Sufficiency:

Paul F. 10/30/06
Assistant County Attorney

C. Other Department Review:

Department Director

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

Location Map



Will Call #1066

Prepared by: Paul King, Esq.
Assistant County Attorney
Return to: Right-of-Way Acquisition Section
Post Office Box 21229
West Palm Beach, Florida 33416
Attention: Kat Chopin
Account No.: 1010

RELEASE OF DRAINAGE EASEMENT RIGHTS

Whereas, on March 24, 1981, a Drainage Easement was recorded in Official Record Book 3487, Page 498, Public Records of Palm Beach County, Florida; and,

Whereas, said easement was granted at no cost to Palm Beach County; and,

Whereas, said easement has never been used, and is not needed currently or in the future by Palm Beach County; and,

Whereas, the property owner has made a request for the release of the easement; and,

Whereas, staff has reviewed the request and finds it is appropriate to release that said drainage easement rights, as described Official Record Book 3487, Page 498.

NOW, THEREFORE, the County does hereby release the Drainage Easement Rights as described in Official Record Book 3487, Page 498.

IN WITNESS WHEREOF, the County has caused this Release of Drainage Easement Rights to be executed on this _____ day of _____, 2006.

ATTEST:

Sharon B. Bock, Clerk and Comptroller

**PALM BEACH COUNTY, a political subdivision
of the State of Florida**

BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

By: _____
County Attorney