

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

Meeting Date: March 13, 2007

☒ 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 a motion to Adopt: A Resolution releasing the County's interests in a portion of an existing Drainage Easement located on County owned property, and declare an alternative location on a portion of the same County owned property as a Drainage Easement to serve as a replacement for the property being released.

Summary: This item will release the County's interest in an existing Drainage Easement, and declare a new Drainage Easement to replace the released easement. The property is south of Indiantown Road and north of Jupiter Gardens Road, between Washington Way and Sapp Place, in Jupiter.

District: 1 (PFK)

Background and Justification: In March of 1981, the County acquired, at no cost, a 15-foot drainage easement over private property. That easement, along with other easements, was developed by the Engineering Department into an area drainage system, which is still in use today.

The private property was later acquired by the County, and is now being developed for low-income housing. In accordance with a request from Property and Real Estate Management, and as a part of the development, it is necessary for the Engineering Department to release a portion of the original easement area. It will be replaced by an easement, on the same County owned property, that ties the existing system into the new system being put in place for the development.

Staff has reviewed the request for the release area and the replacement proposal and has no objections. Therefore, it is recommended that the Board adopt the Resolution releasing the Drainage Easement area, as depicted on Exhibit "A", and declare the parcel depicted on Exhibit "B" as a Drainage Easement.

Attachments:

1. Location Map
2. Detail Map
3. Resolution with Exhibit "A" and Exhibit "B"

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 Cost	-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

ADDITIONAL FTE POSITIONS (Cumulative)

Is Item Included in Current Budget? Yes ☐ No ☐
Budget Account No.: Fund ☐ Agency ☐ Org. ☐ Object ☐
Reporting Category ☐

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

This item has no fiscal impact.

C. Departmental Fiscal Review: R. D. Ward 2/7/07

III. REVIEW COMMENTS

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

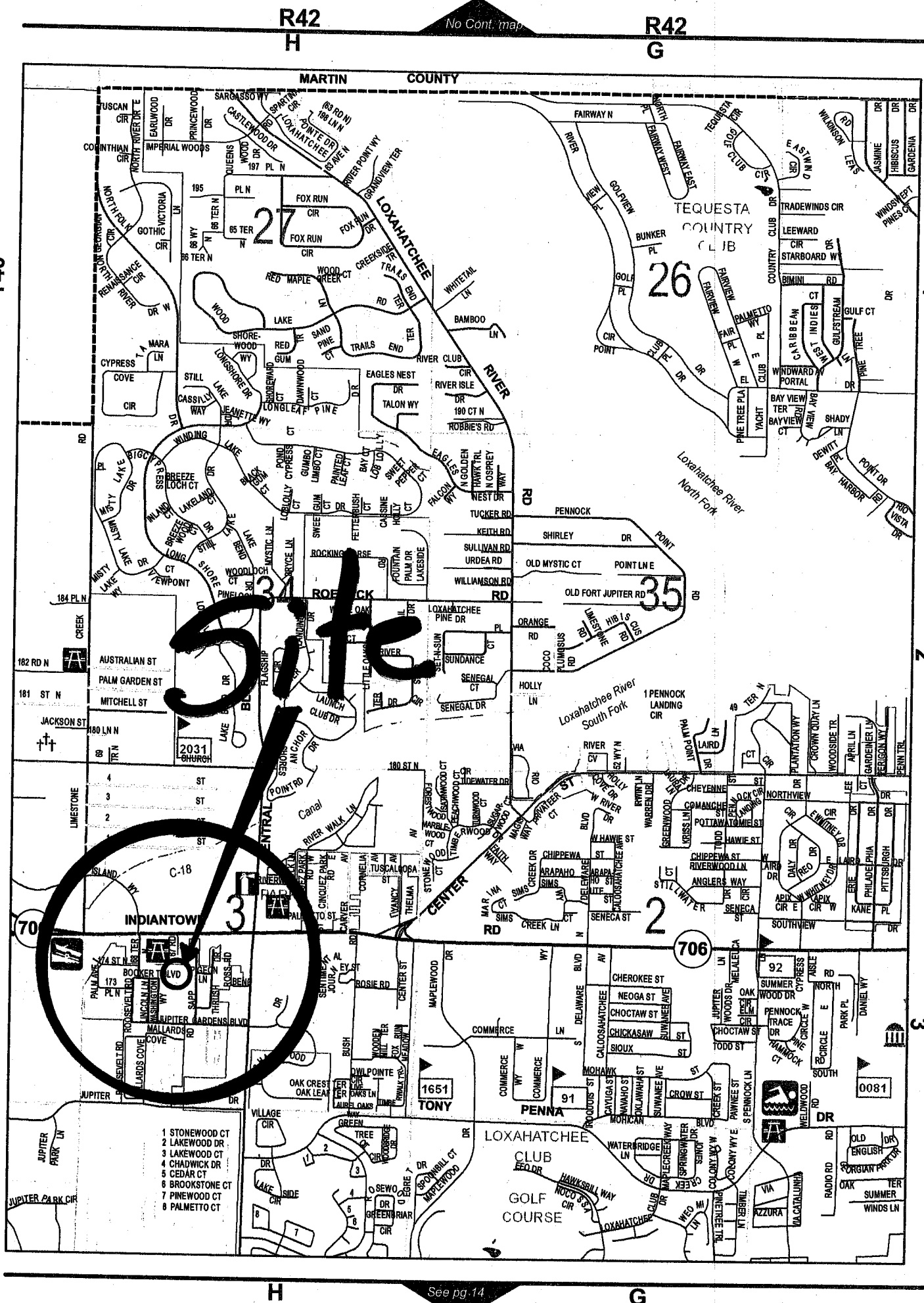
John D. [Signature] 2/13/07 Jim J. Jacobson 2/14/07
OFMB Contract Dev. and Control
2/13/07 2/13/07

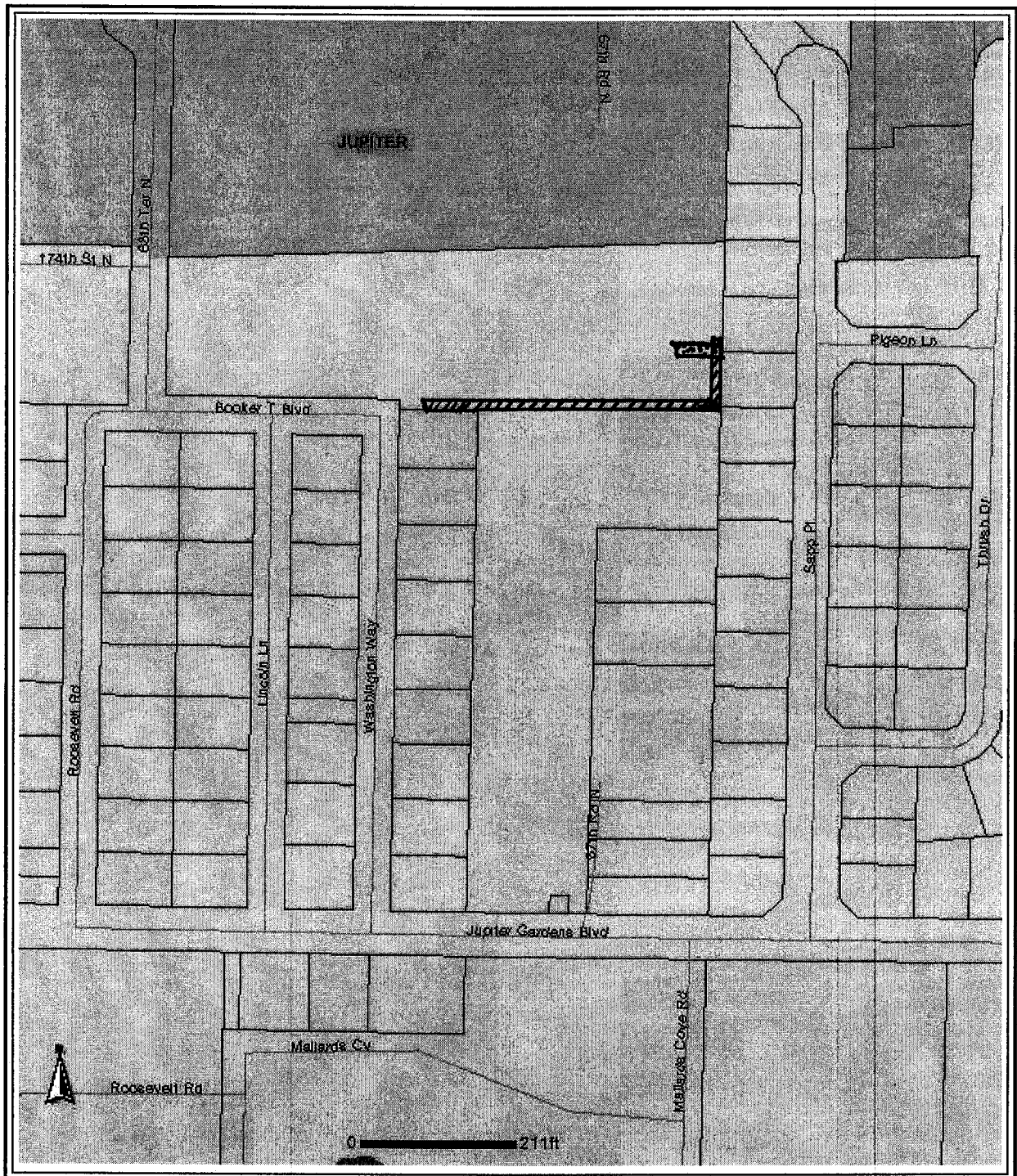
B. Legal Sufficiency:

Paul F. [Signature] 2/14/07
Assistant County Attorney

C. Other Department Review:



Location Map





Map Scale 1:2526

Map produced on 1/31/2007

 - to be released: Exhibit "A"
 - to be declared: Exhibit "B"

RESOLUTION NO. R-2007-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RELEASING EXISTING DRAINAGE EASEMENT RIGHTS AND DECLARING A PARCEL OF LAND AS AN ALTERNATIVE DRAINAGE EASEMENT IN SECTION 03, TOWNSHIP 41 SOUTH, RANGE 42 EAST.

WHEREAS, the County owns certain property on which there is a Drainage Easement which was acquired in 1981 at no cost and is currently part of an existing drainage system; and,

WHEREAS, said County owned property is currently being developed by Property and Real Estate Management for low-income housing; and,

WHEREAS, in order to develop the property, it is necessary to release a portion of the existing Drainage Easement and replace it with new Drainage Easement; and,

WHEREAS, the Engineering Department and Property and Real Estate Management are in agreement with the release and replacement of the easement.

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

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.

BE IT FURTHER RESOLVED that the Drainage Easement rights described in Exhibit "A" are hereby released and the parcel described in Exhibit "B" is hereby declared as a Drainage Easement.

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:

Addie L. Greene, Chairperson	_____
John F. Koons, Vice Chair	_____
Karen T. Marcus	_____
Warren H. Newell	_____
Mary Mc Carty	_____
Burt Aaronson	_____
Jess R. Santamaria	_____

The Chairman thereupon declared the Resolution duly passed and adopted this

_____ day of _____, 2007.

APPROVED AS FOR FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS
Sharon R. Bock, Clerk and Comptroller

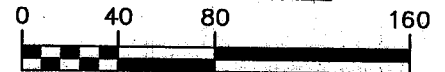
BY: _____
County Attorney

By: _____
Deputy Clerk

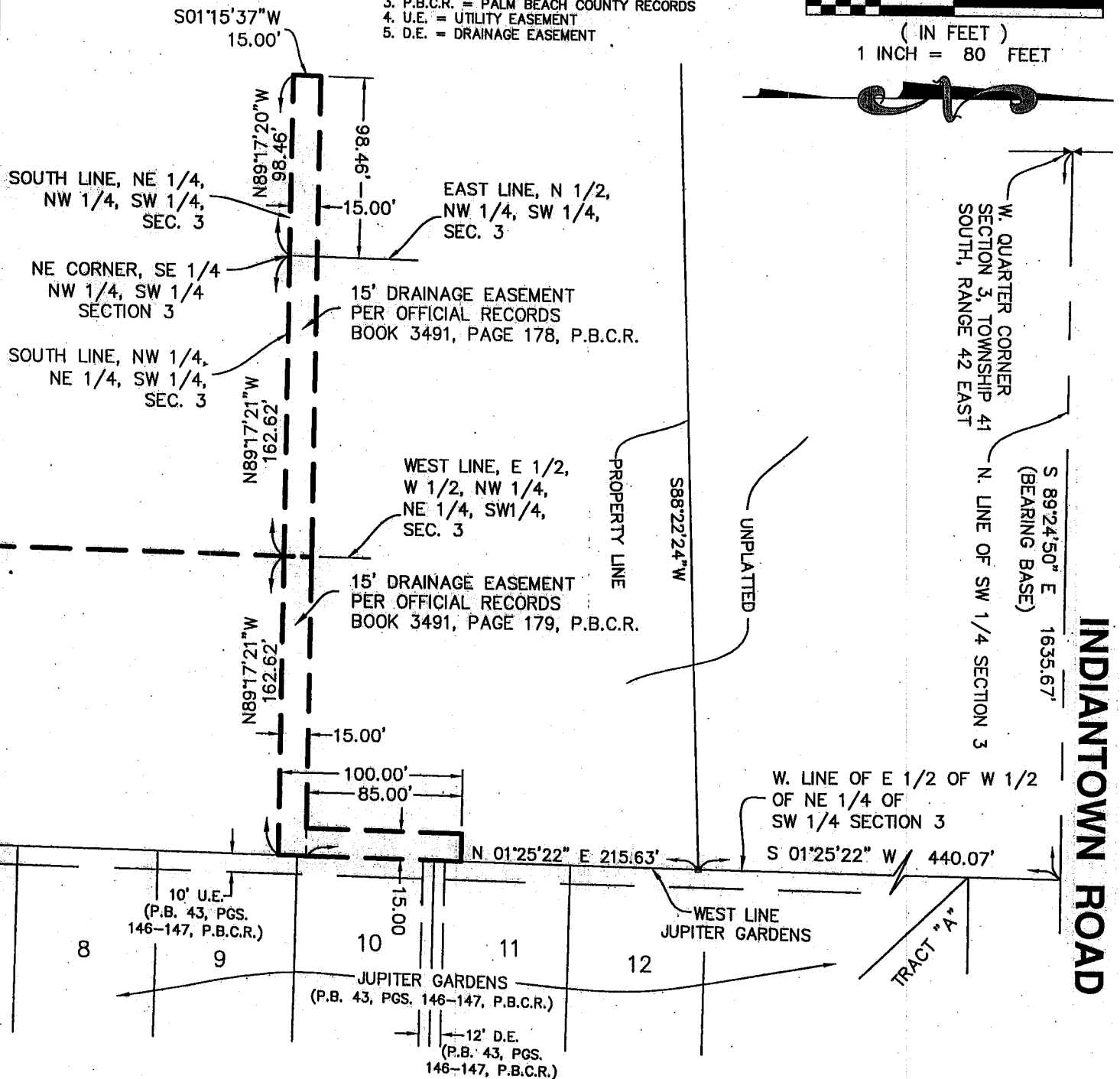
ABBREVIATIONS:

1. P.B. = PLAT BOOK
2. PGS. = PAGES
3. P.B.C.R. = PALM BEACH COUNTY RECORDS
4. U.E. = UTILITY EASEMENT
5. D.E. = DRAINAGE EASEMENT

GRAPHIC SCALE



(IN FEET)
1 INCH = 80 FEET



DESCRIPTION: (EASEMENTS TO BE RELEASED)

ALL THAT CERTAIN DRAINAGE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3491, PAGE 179 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 15.0 FOOT STRIP OF LAND FOR DRAINAGE PURPOSES, LYING OVER AND ACROSS A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID 15.0 STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 15.0 FEET OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3.

TOGETHER WITH THE EAST 15.0 FEET OF THE NORTH 85.0 FEET OF THE SOUTH 100.0 FEET OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3.

TOGETHER WITH ALL THAT CERTAIN DRAINAGE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3491, PAGE 178 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 15.0 FOOT STRIP OF LAND FOR DRAINAGE PURPOSES, LYING OVER AND ACROSS A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID 15.0 FOOT STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 15.0 FEET OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3.

TOGETHER WITH THE SOUTH 15.0 FEET OF THE EAST 98.46 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3.

SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT
REPRESENT A BOUNDARY SURVEY

CERTIFIED TO:

PALM BEACH COUNTY

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61C17-26, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES, DATED THIS 14th DAY OF SEPTEMBER 2006 A.D.

William D. O'Connor
WILLIAM D. O'CONNOR 10/10/06
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION NO. 4563
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
CERTIFICATE OF AUTHORIZATION: LB6680

MILLER LEGG

Palm Beach Office: 2005 Vista Parkway Suite 100
West Palm Beach, Florida 33411-2719
561-689-1138 Fax: 561-689-8108
www.millerlegg.com

10/10/06	REVISED PER PBC	JAL	WDO
DATE	REVISIONS	DWN	CHK
DRAWN BY:	JL	CHECKED BY:	RZ

PROJECT NO. 01-00006

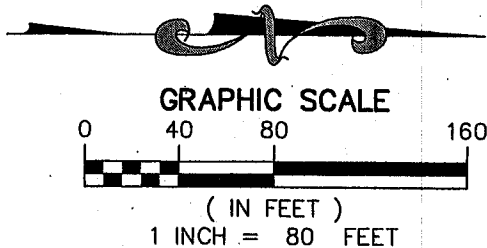
FILE NO.

DESCRIPTION: (DRAINAGE EASEMENT)

COMMENCE AT THE WEST QUARTER (W 1/4) CORNER OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89°24'50" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 3, A DISTANCE OF 1635.67 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF (E 1/2) OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 3, SAID POINT BEING ON THE NORTHERLY EXTENSION OF THE WEST LINE OF JUPITER GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGES 146 AND 147 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°25'22" WEST, ALONG SAID NORTHERLY EXTENSION AND SAID WEST LINE, A DISTANCE OF 579.65 FEET; TO THE POINT OF BEGINNING; THENCE SOUTH 89°55'04" WEST, A DISTANCE OF 93.28 FEET TO A POINT ON A 58.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS SOUTH 55°08'19" WEST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°40'46" AN ARC DISTANCE OF 18.91 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 89°55'04" EAST, A DISTANCE OF 84.75 FEET TO THE WEST LINE OF JUPITER GARDENS; THENCE NORTH 01°25'22" EAST, A DISTANCE OF 17.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.03 ACRES OR 1,504 SQUARE FEET MORE OR LESS.

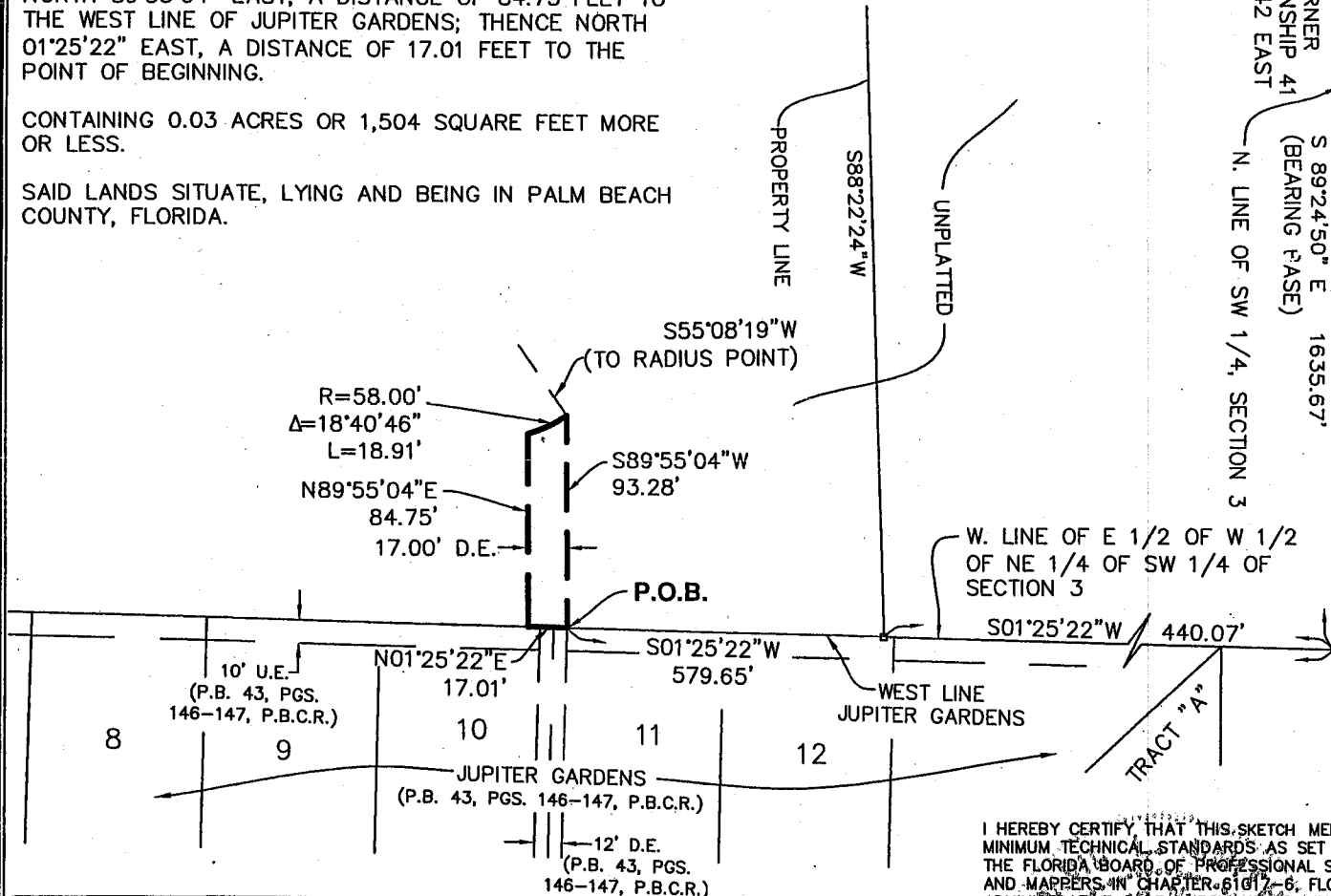
SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.



- ABBREVIATIONS:
- 1. Δ = DELTA (CENTRAL ANGLE)
 - 2. R = RADIUS
 - 3. L = ARC LENGTH
 - 4. P.O.B. = POINT OF BEGINNING
 - 5. P.O.C. = POINT OF COMMENCEMENT
 - 6. P.B. = PLAT BOOK
 - 7. PGS. = PAGES
 - 8. P.B.C.R. = PALM BEACH COUNTY RECORDS
 - 9. U.E. = UTILITY EASEMENT
 - 10. D.E. = DRAINAGE EASEMENT

P.O.C.
W. QUARTER CORNER
SECTION 3, TOWNSHIP 41
SOUTH, RANGE 42 EAST
S 89°24'50" E 1635.67'
(BEARING & DISTANCE)
N. LINE OF SW 1/4, SECTION 3

INDIANTOWN ROAD



I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, IN CHAPTER 61017-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES, DATED THIS 2ND DAY OF JANUARY, 2007 A.D.

David L. Smith
DAVID L. SMITH, P.S.M. 14951
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION No. 14951
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
CERTIFICATE OF AUTHORIZATION: LB6680
THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

DATE	REVISIONS	DRAWN	CHECKED

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Certificate of Authorization L.B. 6680

17' DRAINAGE EASEMENT

PROJECT NO.
01-00006

FILE NO.
01-00006-17DE