

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: July 10, 2007 [X] Consent [ ] Regular  
[ ] Ordinance [ ] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to:**

- A) adopt a resolution authorizing the conveyance of the County's interest in a 142 square foot parcel of vacant land to Anthony M. Vega for \$1,000.00, without reservation of mineral and petroleum rights; and
- B) approve a County Deed in favor of Anthony M. Vega.

**Summary:** In 1966, the County acquired this 142 square foot parcel for a corner clip at the southwest corner of Pennsylvania Avenue and Summit Boulevard. In 1985 (R85-1532), the platted right-of-way of Pennsylvania Avenue, south of Summit Boulevard was abandoned, but this property was not included, apparently by oversight. The property is no longer needed for right-of-way and is of insufficient size and shape to be developed as a stand alone parcel. As such, Florida Statutes Section 125.35(2) provides for conveyance of the property to an adjacent property owner. Anthony M. Vega is the sole adjacent property owner and has offered \$1,000.00, which is based on the \$7.33 per square foot assessed value of the original parent tract, now owned by Mr. Vega. Pursuant to Florida Statutes Section 270.11(1), Staff recommends the Board convey the property without reservation of mineral rights due its small size and low likelihood of the existence of minerals. The sale of this property will lessen the County's potential liability and maintenance responsibilities and return the parcel to the tax rolls. (PREM) District 3 (JMB)

**Background and Justification:** The property fronts Summit Boulevard on its north side, and the abandoned right-of-way for Pennsylvania Avenue on its east. Mr. Vega has requested that the parcel be conveyed without reservation of mineral right as any such reservation may impair the owner's ability to construct a home or obtain financing.

**Attachments:**

- 1. Location Map
- 2. Resolution
- 3. County Deed

Recommended By: [Signature] Anthony Worf 6/20/07  
Department Director Date

Approved By: [Signature] 6/26/07  
County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<\$1,000.00>	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>&lt;\$1,000.00&gt;</u>	=====	=====	=====	=====
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No: Fund 3500 Dept 360 Unit 4260 Object 6999  
 Program \_\_\_\_\_

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

**C. Departmental Fiscal Review:** \_\_\_\_\_

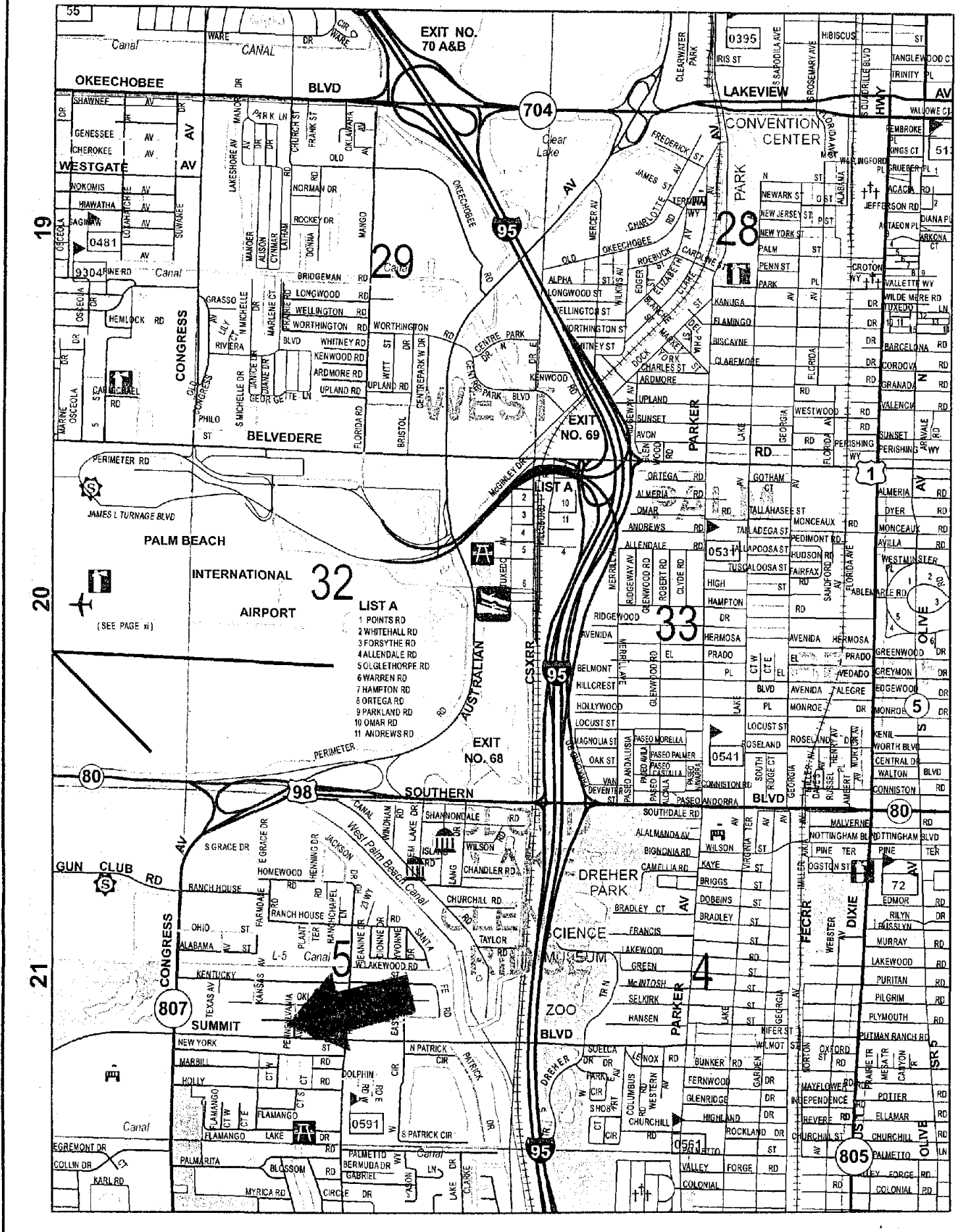
**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development Comments:**  
 The fiscal impact from the discontinued maintenance to this parcel, is undetermined at this time.  
 [Signatures and dates: 6/22/07, 6/22/07, 6/22/07, 6/22/07, 6/22/07, 6/22/07, 6/22/07]  
 [Signatures and dates: 6/25/07, 6/25/07]  
 OFMB Contract Development and Control

**B. Legal Sufficiency:**  
 [Signature: James Brubaker] 6/26/07  
 Assistant County Attorney

**C. Other Department Review:**  
 [Signature: T. Wade]  
 Department Director

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



T43

T

T44

# LOCATION MAP

# ATTACHMENT #1



RESOLUTION NO. 2007 \_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO ANTHONY M. VEGA, PURSUANT TO FLORIDA STATUTES SECTION 125.35(2); FOR ONE THOUSAND DOLLARS (\$1,000.00), WITHOUT MINERAL AND PETROLEUM RIGHTS RESERVATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the County owns a parcel of surplus real property containing 142 square feet located at the southwest corner of Pennsylvania Avenue at Summit Boulevard, between Congress Avenue and I-95, west of West Palm Beach; and

**WHEREAS**, the Board of County Commissioners of Palm Beach County hereby finds that the value of such property is One Thousand Dollars (\$1,000.00), as determined by the Palm Beach County Property Appraiser; and

**WHEREAS**, the Board of County Commissioners hereby finds that such property is of use only to the adjacent property owner due to its size, shape, location and value; and

**WHEREAS**, the Board desires to affect a private sale of such property to Anthony M. Vega, as the sole adjacent property owner, pursuant to Florida Statute Section 125.35(2); and

**WHEREAS**, pursuant to Florida Statutes Section 270.11, Anthony M. Vega has requested that such property be conveyed without reservation of and that the County release all rights relating to mineral and petroleum rights; and

**WHEREAS**, the Board of County Commissioners of Palm Beach County hereby agrees to convey such property without reservation of phosphate, minerals, metals and petroleum rights.

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

**Section 1. Recitals**

The foregoing recitals are true and correct and incorporated herein by reference.

**Section 2. Authorization to Convey Real Property**

The Board of County Commissioners of Palm Beach County shall convey to Anthony M. Vega, for One Thousand Dollars (\$1,000.00) pursuant to the County Deed attached hereto and incorporated herein by reference, the real property legally described in such Deed.

**Section 3. Conflict with Federal or State Law or County Charter.**

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

**Section 4. Effective Date.**

The provisions of this Resolution shall be effective immediately upon adoption hereof.

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 ADDIE L. GREENE, CHAIRPERSON  
COMMISSIONER JOHN F. KOONS, VICE CHAIR  
COMMISSIONER KAREN T. MARCUS  
COMMISSIONER WARREN H. NEWELL  
COMMISSIONER MARY MCCARTY  
COMMISSIONER BURT AARONSON  
COMMISSIONER JESS R. SANTAMARIA

The Chair thereupon declared the resolution duly passed and adopted this

\_\_\_\_\_ day of \_\_\_\_\_, 2007.

PALM BEACH COUNTY, a political  
subdivision of the State of Florida  
BOARD OF COUNTY COMMISSIONERS

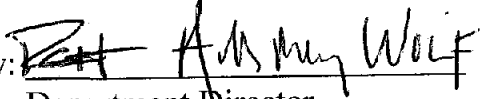
SHARON R. BOCK  
CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
Assistant County Attorney

By:  \_\_\_\_\_  
Department Director

G:\PREM\RESOLUTIONS\2007\VEGA-SUMMIT BLVD. DISPOSITION.DOC

PREPARED BY AND RETURN TO:  
Katrina L. Boyd  
PALM BEACH COUNTY  
PROPERTY & REAL ESTATE MANAGEMENT DIVISION  
3200 BELVEDERE ROAD, BUILDING 1169  
WEST PALM BEACH, FLORIDA 33406-1544

PCN: \_\_\_\_\_

## COUNTY DEED

This COUNTY DEED, made \_\_\_\_\_, by PALM BEACH COUNTY, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791, party of the first part, and Anthony M. Vega, whose legal mailing address is 41 Coral Lane, Frankford, DE 19945, party of the second part.

### WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his heirs and assigns forever, the following described land lying and being in Palm Beach County, Florida:

See Exhibit "A" attached hereto and made a part hereof.

Without reservation of phosphate, mineral, metals and petroleum rights.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice Chair of said Board, the day and year aforesaid.

### ATTEST:

**SHARON R. BOCK**  
**CLERK & COMPTROLLER**

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

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Addie L. Greene, Chairperson

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

(OFFICIAL SEAL)

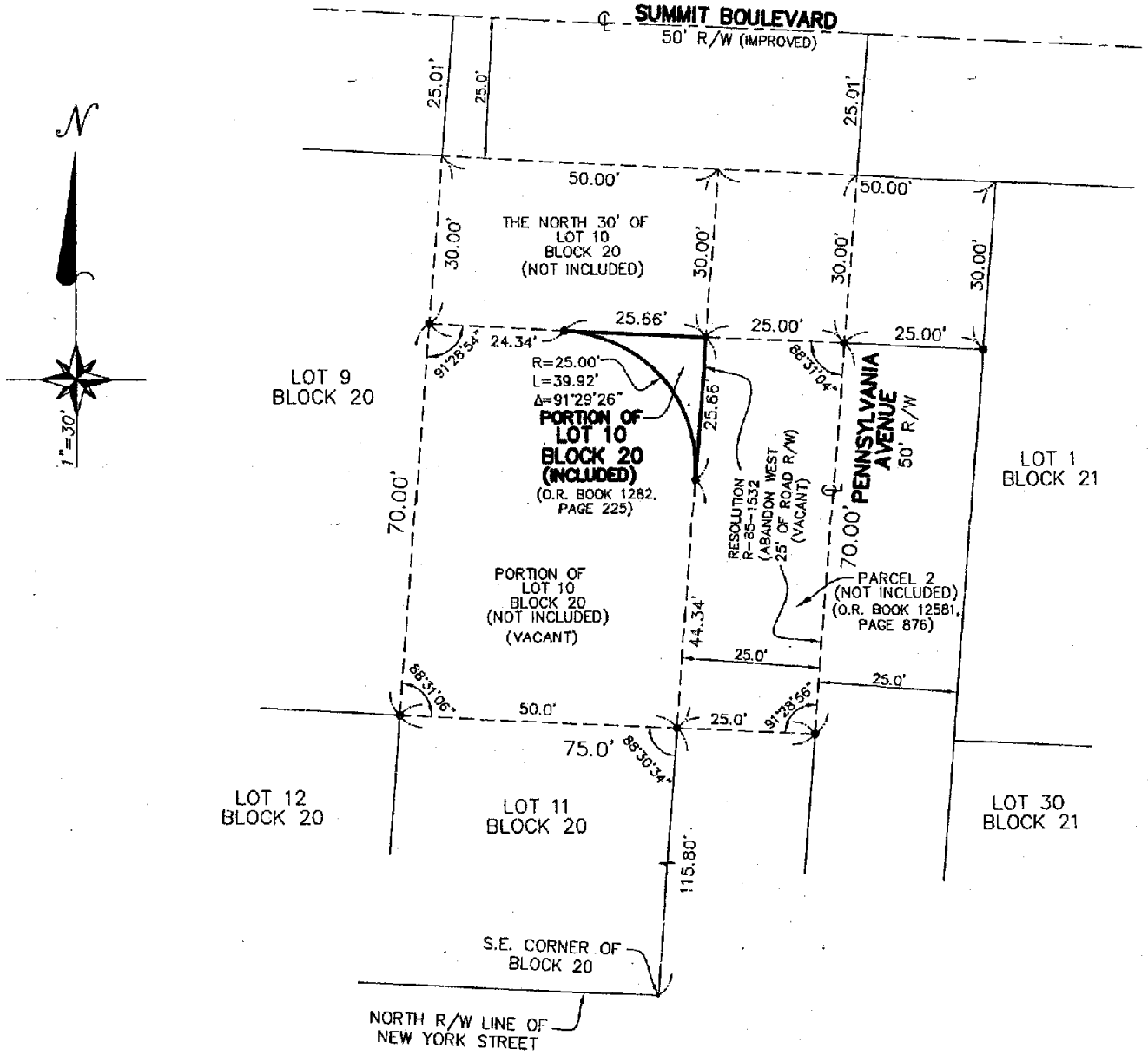
By: \_\_\_\_\_  
Assistant County Attorney

**ATTACHMENT #3**

THAT PORTION OF LOT 10, BLOCK 20, OF PALM ACRES ESTATES ADDITION NO. 2, ACCORDING TO THE PLAT AS RECORDED IN PLAT BOOK 20, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA IN SECTION 5, TOWNSHIP 44 SOUTH, RANGE 43 EAST; WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS ARC, WHICH IS TANGENT TO THE EAST LINE OF SAID LOT 10, AND TANGENT TO A LINE 30 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF LOT 10.

CONTAINING 142± SQUARE FEET

# EXHIBIT "A"



**THIS IS NOT A SURVEY, TO ACCOMPANY DESCRIPTION ONLY**

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Kenneth J. Osborne*

**KENNETH J. OSBORNE**

FLORIDA PROFESSIONAL SURVEYOR & MAPPER CERTIFICATE #6415

SKETCH AND DESCRIPTION OR COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS AND DELETIONS TO SKETCH AND DESCRIPTION BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

**KEN OSBORNE SURVEYING & MAPPING, INC.**

13135 85th ROAD NORTH  
WEST PALM BEACH, FLORIDA 33412  
CELL: (561) 862-2329  
OFFICE/FAX: (561) 790-2285  
PSM#6415 LB#7290

FIELD: K.O.	JOB NO.: 06-013 VEGA SKETCH	
BOOK NO.: 15	DRAWN: CLO	DATE: 04/14/2007
PAGE: 47	CHECKED: K.O.	SCALE: 1" = 30'
<b>SKETCH AND DESCRIPTION</b>		