

Agenda Item #: 5B

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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Meeting Date: August 21, 2007 [ ] 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 those portions of the platted thirty (30) foot unimproved roads, lying in Sections 14, 15, and 22, Township 47 South, Range 41 East, within the plat of Florida Fruit Lands Company's Subdivision No. 2, as recorded in Plat Book 1, Pages 102, Public Records of Palm Beach County, Florida.

**Summary:** This petition site is located on the northeast corner of Ponderosa Drive and Palmetto Park Road. The requested abandonment is to accommodate the construction within the South County Regional Park.

**District:** 5 (PK)

**Background and Policy Issues:** The owner, Palm Beach County Parks and Recreation Department, wants to consolidate the County's holdings within the South County Regional Park. In order to meet the Subdivision and Platting Regulations, it is necessary to abandon these unimproved roads prior to recording the proposed plat for the park.

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 by Ordinance No. 2002-034, 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] 28 June 07 [Signature]  
Division Director Date

Approved by: [Signature] 7/23/07  
County Engineer Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>NET FISCAL IMPACT</b>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	<u><u>-0-</u></u>	
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____				

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:**

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

**III. REVIEW COMMENTS**

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

*Jan Del* 7.24.07  
 \_\_\_\_\_  
 OFMB *1/24/07 CW 1/23/17*

*Jim J. Jacobson* 7/25/07  
 \_\_\_\_\_  
 Contract Dev. and Control  
*6 Jan 7/25/07*

**B. Legal Sufficiency:**

*Paul F. J.* 7/26/07  
 \_\_\_\_\_  
 Assistant County Attorney

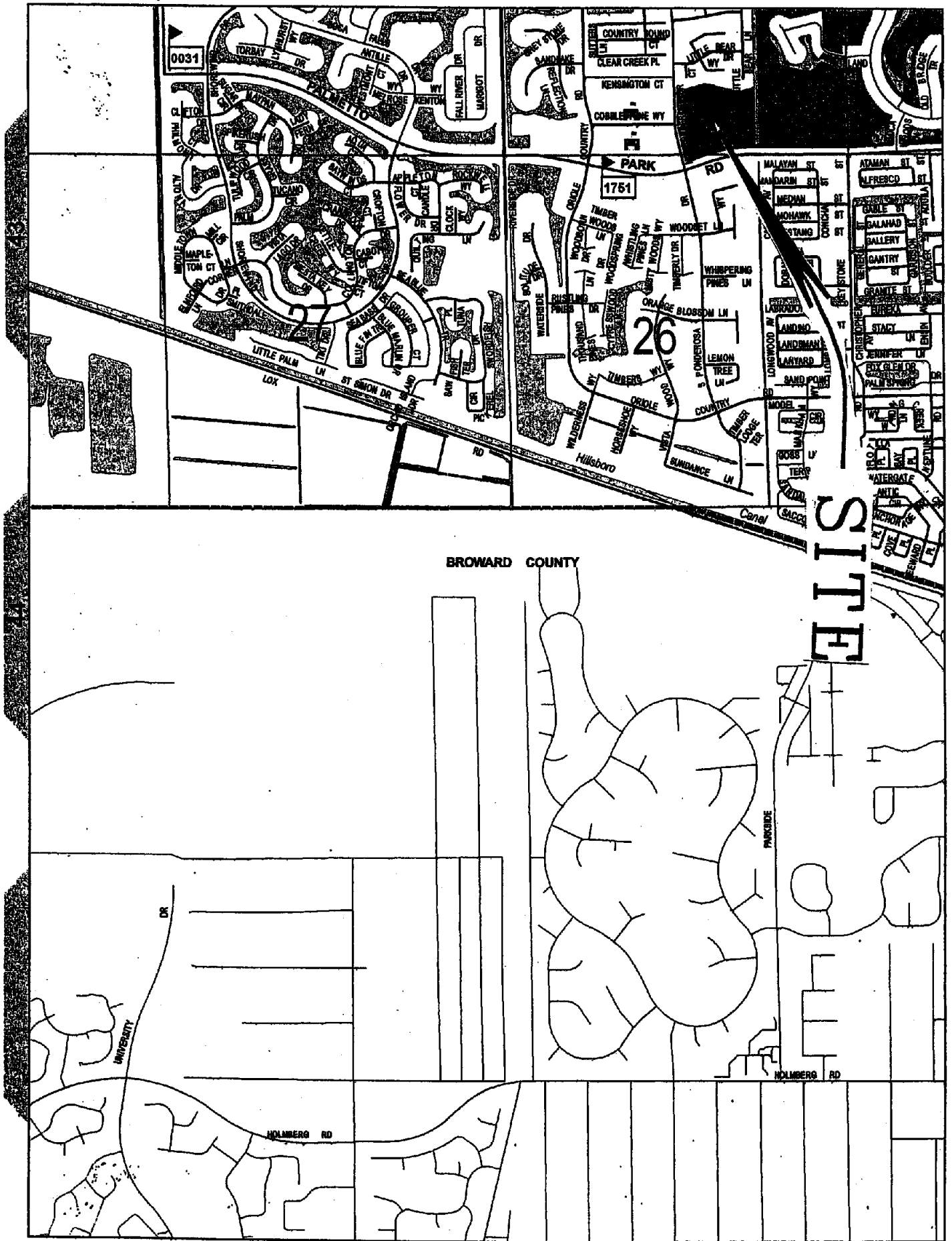
**C. Other Department Review:**

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

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

N

M



**VACATING THOSE PORTIONS OF THE  
 PLATTED 30' UNIMPROVED ROADS WITHIN THE PLAT OF  
 FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2,  
 AS RECORDED IN PLAT BOOK 1, PAGES 102**

**LOCATION SKETCH**

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RESOLUTION NO. R-2007-\_\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING THOSE PORTIONS OF THE PLATTED THIRTY (30) FOOT UNIMPROVED ROADS, LYING IN SECTIONS 14, 15, AND 22, TOWNSHIP 47 SOUTH, RANGE 41 EAST, WITHIN THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, AS RECORDED IN PLAT BOOK 1, PAGES 102, 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, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on August 21, 2007, 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-ways; 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 August 1, 2007; and

RESOLUTION NO. R-2007-\_\_\_\_\_

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.

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. These rights-of-way are hereby abandoned and closed as rights-of-way and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to these rights-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-2007-\_\_\_\_\_

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

Mary McCarty

Burt Aaronson

Jess R. Santamaria

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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

**LEGAL DESCRIPTION FOR: FLORIDA FRUIT LANDS R/W ABANDONMENT**  
 THOSE PORTIONS OF THE PLATTED 30' ROADS LYING IN SECTIONS 14, 15, AND 22,  
 TOWNSHIP 47 SOUTH, RANGE 41 EAST, OF THE PLAT OF FLORIDA FRUIT LANDS  
 COMPANY'S SUBDIVISION No.2 IN PALM BEACH COUNTY, FLORIDA, RECORDED IN  
 PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,  
 FLORIDA, WHICH ARE NOTED ON THE BOUNDARY PLAT OF ORIOLE COUNTRY,  
 RECORDED IN PLAT BOOK 32, PAGE 175 THROUGH 180 (at pages 179 and 180),  
 OF SAID PUBLIC RECORDS, AS:

"NOT A PART OF THIS PLAT  
 PLATTED ROAD (PL. BK.1 P.102)"

WHICH ABUT TRACTS "Z-1" THROUGH "Z-7", OF SAID BOUNDARY PLAT OF ORIOLE  
 COUNTRY; EXCLUDING THOSE PLATTED 30' ROADS ABUTTING THE NORTH LINES OF  
 TRACTS "Z-1" AND "Z-2".

CONTAINING 9.66 ACRES (420,715.13 SQUARE FEET), MORE OR LESS.

**SURVEY REPORT:**

1. THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 61G17-6.002(10), FLORIDA ADMINISTRATIVE CODE.  
 DATE OF SURVEY: DECEMBER 19, 2006.
2. SURVEY BASED ON:
  - a) Boundary Plat of Oriole Country, plat book 32, page 175.
  - b) Plat of Florida Fruit Lands Company's Subdivision No.2 in Palm Beach County, Florida, plat book 1 page 102.
3. BEARING BASIS: N87°47'32"W ALONG THE NORTH BOUNDARY OF THE BOUNDARY PLAT OF ORIOLE COUNTRY.
4. THE LEGAL DESCRIPTION WAS PREPARED BY BROWN & PHILLIPS, INC. BASED ON INSTRUCTIONS GIVEN BY THE CLIENT.
5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.  
 THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.  
 NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY BROWN & PHILLIPS, INC.
6. THE PROPOSED USE OF THE SUBJECT PROPERTY IS THE PALM BEACH COUNTY SOUTH COUNTY REGIONAL PARK.  
 THIS USE FALLS WITHIN THE SUBURBAN RISK CATEGORY AS CLASSIFIED IN CHAPTER 61G17-6.003, FLORIDA ADMINISTRATIVE CODE.  
 ALL FIELD-MEASURED CONTROL MEASUREMENTS EXCEEDED THE ACCURACY REQUIREMENTS FOR THIS CLASSIFICATION.
7. THE CONTRACTED PURPOSE OF THIS SURVEY IS TO MEET THE SURVEY REQUIREMENT FOR ABANDONMENT OF THE PLATTED ROADS UNDERLYING THE SUBJECT PROPERTY.  
 THIS SURVEY IS NOT VALID FOR ANY OTHER USE.
8. THIS SURVEY WAS PREPARED FOR TO THE PARTIES LISTED BELOW AND IS NOT ASSIGNABLE:
  - BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY
9. 1/2" IRON ROD WITH "BROWN & PHILLIPS" CAP SET AT ALL PROPERTY CORNERS.
10. © COPYRIGHT 2007 BY BROWN & PHILLIPS, INC.  
 THE SKETCH OF SURVEY AND SURVEY REPORT COMPRISE THE COMPLETE SURVEY.  
 THIS SURVEY IS NOT VALID UNLESS THE SKETCH AND REPORT ACCOMPANY EACH OTHER.  
 REPRODUCTIONS OF THIS SURVEY ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

**ABBREVIATIONS**

R/W - RIGHT-OF-WAY	LWDD - LAKE WORTH DRAINAGE DISTRICT
O.R.B.- OFFICIAL RECORD BOOK	IR/C - IRON ROD & CAP
P.B. or PL. BK. - PLAT BOOK	E. - EAST
PG. or P. - PAGE	W. - WEST
N'y - NORTHERLY	SEC. - SECTION
W'y - WESTERLY	NW'y - NORTHWESTERLY

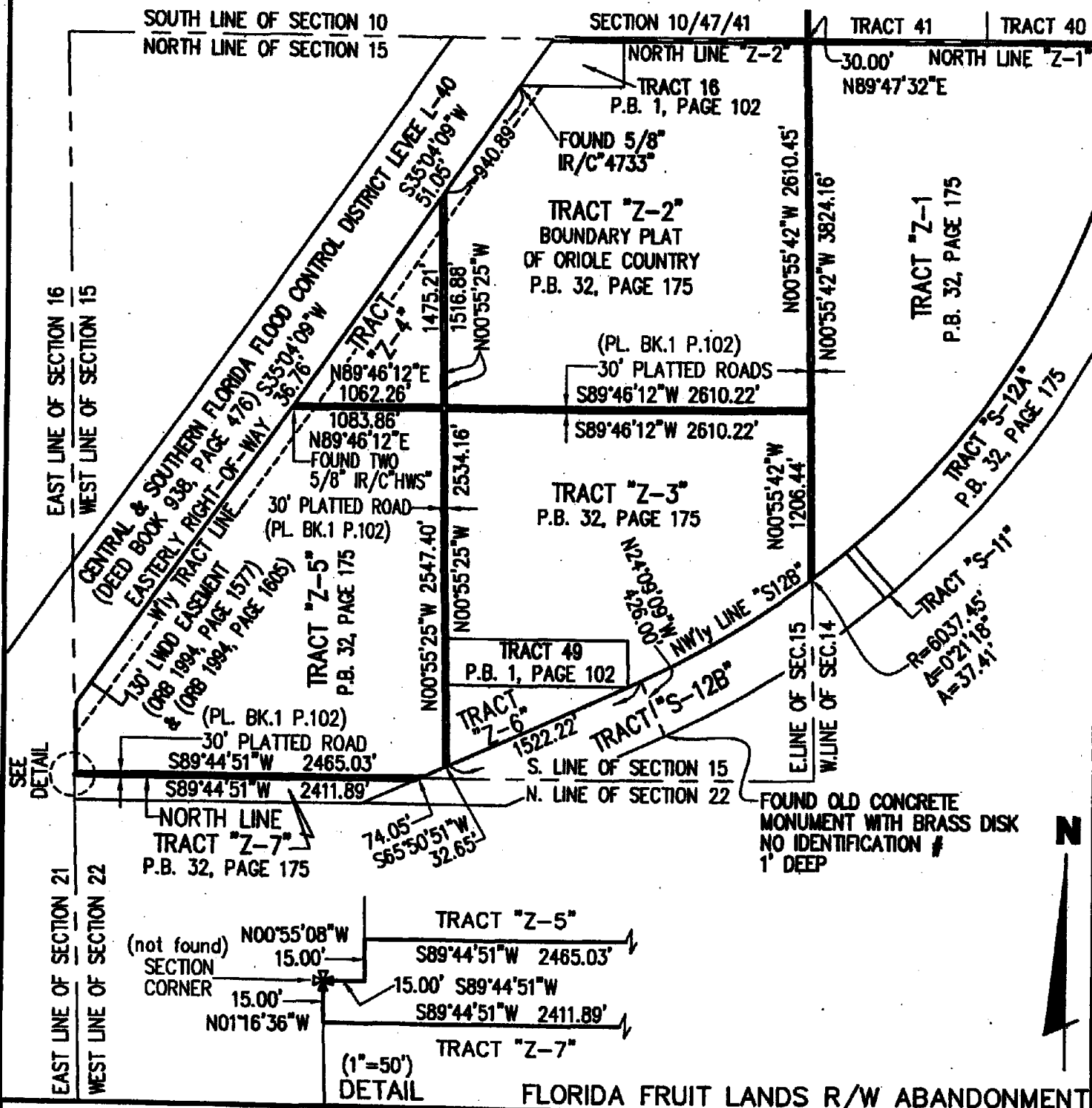
*John E. Phillips III*  
 \_\_\_\_\_  
 JOHN E. PHILLIPS III  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF FLORIDA No. 4826  
 DATE: 4/23/07

**BROWN & PHILLIPS, INC.**  
 PROFESSIONAL SURVEYING SERVICES  
 CERTIFICATE OF AUTHORIZATION # LB 6473  
 901 NORTHPOINT PKWY, SUITE 305, W.P.B. FLORIDA 33407  
 (561) 615-3988, (561) 615-3986 FAX

**SKETCH OF  
 BOUNDARY SURVEY**

DRAWN: MB	PROJ. No. 06-066
CHECKED: JEP	SCALE: NONE
SOUTH COUNTY REGIONAL PARK	DATE: 1/15/07
	SHEET 1 OF 2

FLORIDA FRUIT LANDS COMPANY'S - SUBDIVISION No.2  
P.B. 1, PAGE 102



FLORIDA FRUIT LANDS R/W ABANDONMENT

**B** **BROWN & PHILLIPS, INC.**

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 (561) 615-3988, (561) 615-3986 FAX

SKETCH OF  
BOUNDARY SURVEY

DRAWN: MB	PROJ. No. 06-066
CHECKED: JEP	SCALE: 1" = 1000'
SOUTH COUNTY REGIONAL PARK	DATE: 1/15/07
	SHEET 2 OF 2