

3J-2

Agenda Item #:

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 4/15/2008 [X] Consent [] Regular  
[ ] Workshop [ ] Public Hearing

Department: Planning, Zoning and Building

Submitted By: Planning Division

Submitted For: Planning Division

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: THE VOLUNTARY ANNEXATION OF A PARCEL OWNED BY PALM BEACH COUNTY INTO THE CITY OF WEST PALM BEACH.

**Summary:** Palm Beach County requests to voluntarily annex a county-owned property into the City of West Palm Beach. The 0.042-acre parcel, as described in Attachment A, is a county-owned lift station maintained by the Palm Beach County Water Utilities Department (PBCWUD) and will otherwise be an unincorporated enclave when the adjacent property to the east is voluntarily annexed into the City. Pursuant to the Interlocal Agreement between Palm Beach County and the City of West Palm Beach regarding Water and Wastewater Service Area dated December 20, 2005 (County Resolution No. R2005-2445), the property is within the PBCWUD water and wastewater service area and will remain in the County's water and wastewater service area following the annexation. By signing the voluntary annexation petition, Palm Beach County does not transfer ownership rights for the parcel, but rather consents to the property being annexed into, and included within, the municipal boundary of the City of West Palm Beach. The annexation has been processed through the County's review departments, including Fire-Rescue, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management and the Office of Financial Management and Budget Departments. None of the departments are opposed to the annexation. The proposed annexation meets the requirements of Chapter 171, F. S. and is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan. District 2 (RB)

**Background and Justification:** The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves. Palm Beach County requests to voluntarily annex a county-owned parcel into the City of West Palm Beach, as described in Attachment A. Pursuant to Section 11.2 of the County Resolution No. R2005-2445, the property will remain in PBCWUD's water and wastewater service area following proposed annexation. This unincorporated parcel is within the City's future annexation area. The proposed annexation meets the requirements of Chapter 171, F. S., for annexation and are consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan, which supports municipal efforts to secure boundary changes that maintain cost-effective service delivery.

**Attachments:**

- A. Attachment A Petition for Annexation
- B. Proposed Annexation Map

Recommended by:  2/17/08  
Executive Director Date

Approved By:  3/4/08  
Deputy County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	<u>20 08</u>	<u>20 09</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

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

There is no fiscal impact associated with this item.

C. Departmental Fiscal Review: Pat Digeron

**III. REVIEW COMMENTS**

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

<p><u>atwillhite 2-25-08</u>                  OFMB                  2/27/08</p>	<p><u>Jim J. Jodan 2/26/08</u>                  Contract Dev. and Control                  2/26/08</p>
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B. Legal Sufficiency:  
[Signature]  
 Assistant County Attorney

C. Other Department Review:  
[Signature]  
 Department Director

**Attachment A**  
**PETITION FOR ANNEXATION – PBC Owned Land**

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To: City Council, City of West Palm Beach  
200 Second Street, West Palm Beach, FL 33401

THE UNDERSIGNED, being the owner of the following premises located in unincorporated Palm Beach County, south of Okeechobee Boulevard and west of Skees Road, parcel number 00-42-43-27-03-001-0222, containing 0.042 acre, situate, lying and being in Palm Beach County, Florida, and described as follows:

A PARCEL OF LAND LYING IN TRACT 22, BLOCK 1, PALM BEACH FARMS COMPANY PLAT NO. 9, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 5, PAGE 58, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 22, THENCE NORTH 00° 00' 04" EAST, 232.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 59' 56" EAST, 61.0 FEET; THENCE NORTH 00° 00' 04" EAST, 30.0 FEET; THENCE NORTH 89° 59' 56" WEST, 61.0 FEET; THENCE SOUTH 00° 00' 04" WEST, 30.0 FEET TO THE POINT OF BEGINNING. SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 0.042 ACRES, MORE OR LESS (HEREINAFTER DESCRIBED AS THE PROPERTY).

hereby, respectfully request that said Property, which is contiguous to the territorial limits of the City of West Palm Beach, Florida, be annexed to and included within the territorial limits of the City of West Palm Beach. Pursuant to the Interlocal Agreement between Palm Beach County and the City of West Palm Beach regarding Water and Wastewater Service Area dated December 20, 2005 (County Resolution No R2005-2445)("Service Area Agreement") the Property is within the Palm Beach County Water Utilities Department ("PBCWUD") water and wastewater service area. Pursuant to Section 11.2 of the Service Area Agreement, the Property and the adjacent parcel to the east, known as Jag Palm Beach Replacement and described in the legal description below, will remain in PBCWUD's water and wastewater service area following annexation.

TRACT 22, BLOCK 1, PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 58, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS, HOWEVER, THE RIGHT OF WAY FOR SKEES ROAD AS SHOWN ON PALM BEACH COUNTY ENGINEERING DEPARTMENT RIGHT OF WAY MAP (DRAWING NO. S3-82-688-RW SHEET 3 OF 3) AND DEED BOOK 1037, PAGE 163, PALM BEACH COUNTY PUBLIC RECORDS.

ALSO LESS THE REQUIRED RIGHT OF WAY FOR LAKE WORTH DRAINAGE DISTRICT L-1 CANAL ALSO SHOWN IN OFFICIAL RECORD BOOK 1732, PAGE 612 AND OFFICIAL RECORD BOOK 1758, PAGE 416, SAID PUBLIC RECORDS.

ALSO, LESS A PARCEL OF LAND LYING IN TRACT 22, BLOCK 1, PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 5, PAGE 58, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 22, THENCE NORTH 00°00'04" EAST, 232.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH

89°59'56" EAST 61.0 FEET; THENCE NORTH 00°00'04" EAST 30.00 FEET; THENCE NORTH 89°59'56" WEST 61.0 FEET; THENCE SOUTH 00°00'04" WEST 30.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE SOUTH FIVE (5) FEET OF THE NORTH SEVENTY-FIVE (75) FEET OF TRACT 22, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA.

The undersigned further certify that they are the only owner of said property. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Property Owner: Palm Beach County, Florida

ACKNOWLEDGMENT

WHEREFORE, the said party hereto has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice-Chair of said Board, the day and year aforesaid.


ATTEST:  
SHARON R. BOCK, Clerk &  
Comptroller

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

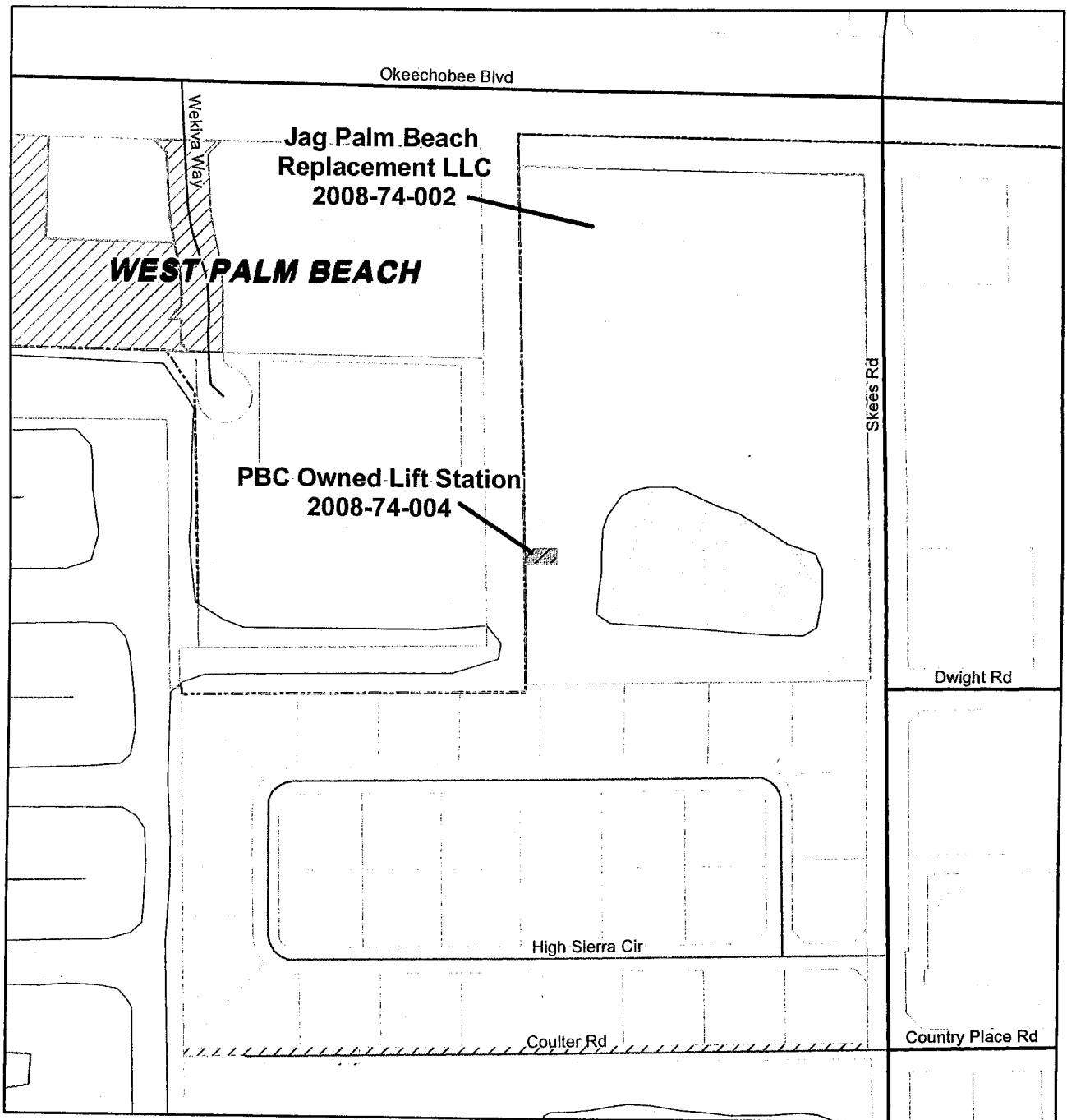
By: \_\_\_\_\_  
Deputy Clerk









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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:   
Assistant County Attorney

# Annexation Location Map



- |   |                             |   |                                 |   |                   |
|---|-----------------------------|---|---------------------------------|---|-------------------|
|  | Newly Proposed Annexation   |  | Palm Beach County Owned Parcels | <b>ROW Maintenance*</b>   |                   |
|  | Pending Annexation          |  | CCRT Area                       |  | County Maintained |
|  | Previous Annexation         |  | Municipality                    |  | State Maintained  |
|  | Failed/Withdrawn Annexation |  | Water                           |  | Other             |

\*Source: ROW Maintenance Data provided by PBC Engineering Dept 2008 ENGGDB.CMR

Date: 2/6/08  
 Contact: Nicole Delsoin  
 Filename: N:\Division Pr\Annex\FY2008

Note: Map is not official,  
 for informational purposes only



**Planning, Zoning  
 & Building**

2300 N. Jog Rd.  
 West Palm Beach, FL 33411  
 Phone (561) 233-5300

