

Agenda Item #: 4-B

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 20, 2008[] Consent [] Regular
[] Workshop [X] Public Hearing

Department:

Submitted By: Engineering and Public Works

Submitted For: Land Development Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution abandoning those certain unimproved portions of three (3) thirty (30) foot wide unimproved roads within Tracts G, H, I, and J, the plat of Osceola Groves, as recorded in Plat Book 20, Page 30, Public Records of Palm Beach County, Florida.

Summary: This petition site is located approximately 2 miles south of State Road 76 and 1 mile east of US 441. As a condition of approval for a Type IIIA sand/rock mining operation, the development is required to abandon these unimproved road rights-of-way.

District: 1 (PK)

Background and Policy Issues: The owner, Five Smooth Stones, Inc., wants to develop a Type IIIA rock mining operation. The development was approved by the Board of County Commissioners on November 18, 2004 (Petition Number 2003-100). As part of their condition of approval, these unimproved road rights-of-way must be abandoned. These unimproved roads are not depended upon for access.

Utility service providers have no objection to the vacation.

Privilege Fee Statement:

The petition is subject to a privilege fee of \$14,968.01. The calculations are as follows:

Total sq. ft. of Right-of-Way for the three (3) unimproved Roads	231,660
Total square feet subject to Privilege Fee. .	231,660
Average square footage value of parcels abutting the right of way.	0.08724
Overall value.	\$20,210.02
80% of value	\$16,168.01
Less Filing Fee	\$-1,200.00
Total Privilege Fee	\$14,968.01

Attachments:

1. Location Sketch
2. Resolution with Legal Description and Sketch

Recommended by: _____

Division Director

Date

Approved by: Sy T. Webb

County Engineer

4/20/08
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
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><\$14,969></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>
NET FISCAL IMPACT	<u><\$14,969></u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No X

Budget Acct No.: Fund 3500 Dept. 800 Unit 8005 RevSrc 6425.
Program

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

Transportation Improvement Fund
Transportation Improvement
Abandonment Ord Fees

C. Departmental Fiscal Review: R. D. Wald 4/11/08

III. REVIEW COMMENTS

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

Sturillwhite 5.5.08
OFMB
SD 5/5/08 CN 4/22/08

Jim J. Fowler 5/5/08
Contract Dev. and Control
5/5/08

B. Approved as to Form and Legal Sufficiency:

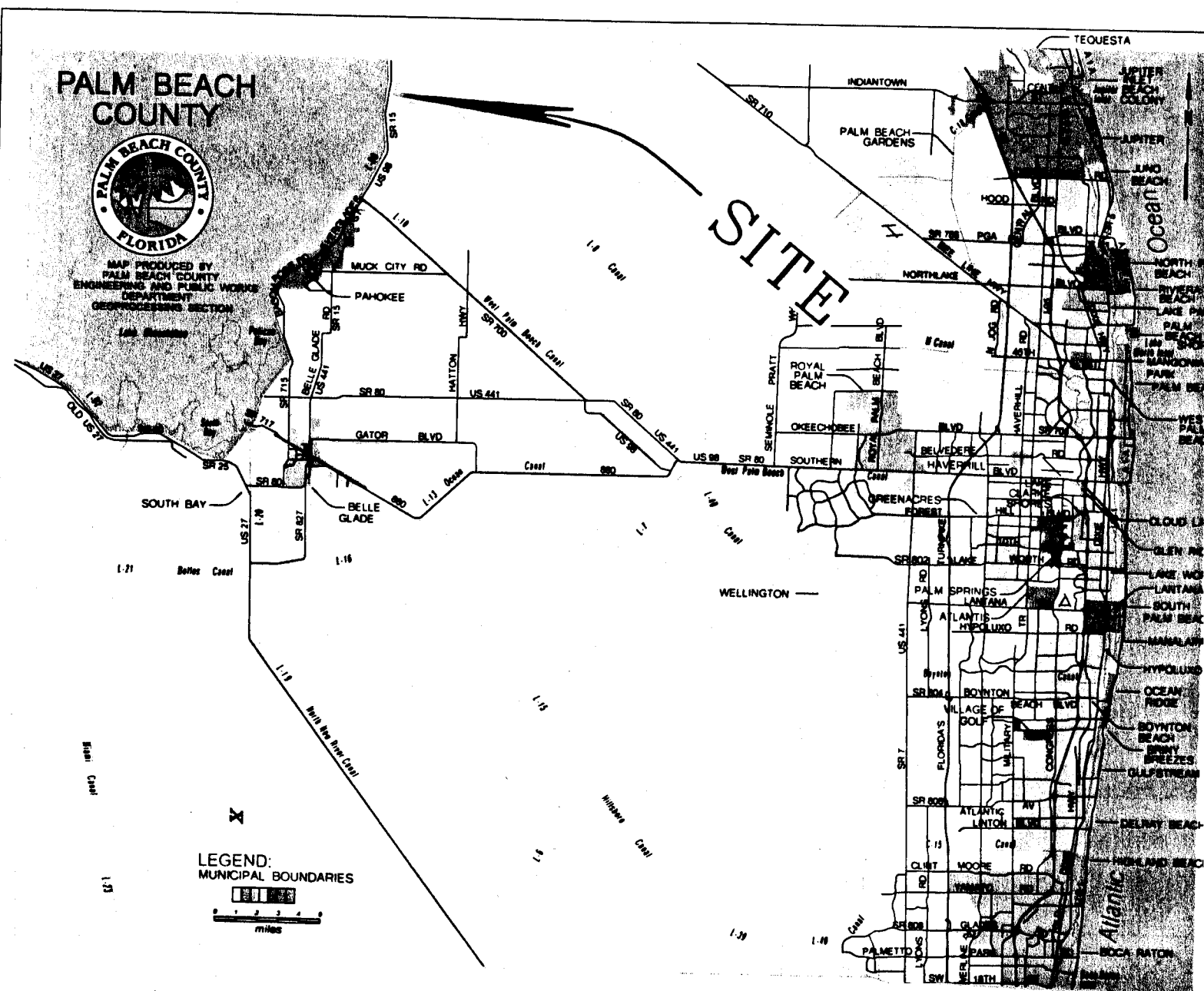
Paul F. L. 5/6/08
Assistant County Attorney

C. Other Department Review:

Department Director

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

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**VACATING CERTAIN PORTIONS OF
3-30' WIDE UNIMPROVED ROADS
WITHIN TRACTS G, H, I, J
OSCEOLA GROVES PLAT BOOK 20, PAGE 30**

LOCATION SKETCH



RESOLUTION NO. R-2008-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING THOSE CERTAIN UNIMPROVED PORTIONS OF THREE (3) THIRTY (30) FOOT WIDE UNIMPROVED ROADS WITHIN TRACTS G, H, I, AND J, THE PLAT OF OSCEOLA GROVES, AS RECORDED IN PLAT BOOK 20, PAGE 30, 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 Five Smooth Stones, Inc., called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on May 20, 2008, 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 three unimproved rights-of-way within the plat of Osceola Groves; 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 May 1, 2008; and

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.

RESOLUTION NO. R-2008-_____

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.

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

Robert J. Kanjian

Mary McCarty

Burt Aaronson

Jess R. Santamaria

RESOLUTION NO. R-2008-_____

The Chair thereupon declared the Resolution duly
passed and adopted this _____ day of _____, 2008.

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

A 30 FOOT WIDE STRIP OF LAND BEING ALL THAT PORTION OF THE UNNAMED 30 FOOT ROAD LYING BETWEEN THE SOUTH LINE OF UNITS 1 THROUGH 13, INCLUSIVE, TRACT J AND THE NORTH LINE OF UNITS 40 THROUGH 52, INCLUSIVE, TRACT I, OSCEOLA GROVES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 30, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA.

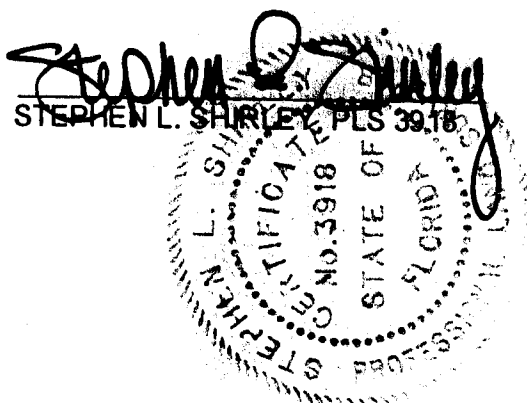
TOGETHER WITH A 30 FOOT WIDE STRIP OF LAND BEING ALL THAT PORTION OF THE UNNAMED 30 FOOT ROAD LYING BETWEEN THE SOUTH LINE OF UNITS 1 THROUGH 13, INCLUSIVE, TRACT I AND THE NORTH LINE OF UNITS 40 THROUGH 52, INCLUSIVE, TRACT H, OSCEOLA GROVES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 30, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA.

ALSO TOGETHER WITH A 30 FOOT WIDE STRIP OF LAND BEING ALL THAT PORTION OF THE UNNAMED 30 FOOT ROAD LYING BETWEEN THE SOUTH LINE OF UNITS 1 THROUGH 13, INCLUSIVE, TRACT H AND THE NORTH LINE OF UNITS 40 THROUGH 52, INCLUSIVE, TRACT G, OSCEOLA GROVES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 30, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA.

TOTAL CONTAINING: 231,660 SQUARE FEET, OR 5.318 ACRES, MORE OR LESS

I HEREBY CERTIFY THAT THIS DESCRIPTION SKETCH PREPARED FOR ROAD ABANDONMENT COMPLIES WITH THE APPLICABLE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, F.A.C.

DATE: 3/3/2008



NOTE: THIS IS NOT A SURVEY

SEE SHEET 2 OF 2 FOR SKETCH

LEGAL DESCRIPTION OF:

30' ROAD ABANDONMENTS BETWEEN PORTIONS OF TRACTS G AND H, TRACTS H AND I, AND TRACTS I AND J, OSCEOLA GROVES



ASSOCIATED LAND SURVEYORS, INC.

4152 W. BLUE HERON BOULEVARD—SUITE 121
RIVIERA BEACH FLORIDA 33404 L.B. NO. 7344
PHONE: (561) 848-2102 FAX: (561) 844-9659 EMAIL: als@alssurvey.net

FILE: P259_RW_ABAN

DATE: 3/3/2008

BY: KVC

CKD:

W.O.NO.: P259

SHEET 1 OF 2

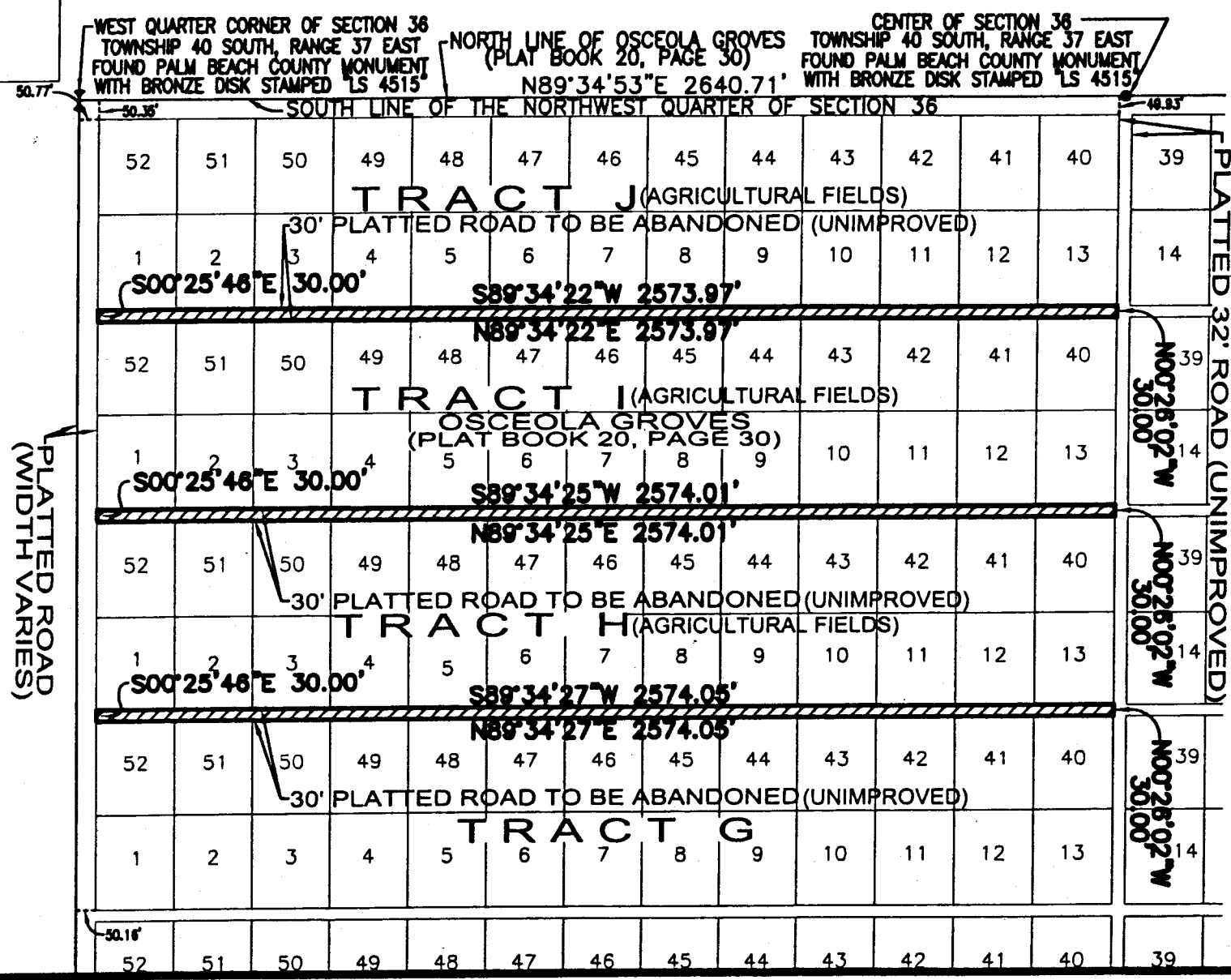


- NOTES: 1) ALL UNITS WERE PLATTED WITH A LENGTH OF 245.0 FEET AND A WIDTH OF 198.0'.
2) BEARINGS SHOWN HEREON ARE BASED UPON AN ASSUMED BEARING OF NORTH 89°34'53" EAST ALONG THE NORTH LINE OF OSCEOLA GROVES, BEING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 40 SOUTH, RANGE 37 EAST.

NOTE: THIS IS NOT A SURVEY
SKETCH OF:

30' ROAD ABANDONMENTS BETWEEN PORTIONS OF TRACTS G AND H,
TRACTS H AND I, AND TRACTS I AND J, OSCEOLA GROVES

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION



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