

Agenda Item #:

4C

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 portions of the unimproved rights-of-way of Wakula Street and Asima Street, within the plat of Pine-Jog Subdivision, as recorded in Plat Book 23, Page 245, Public Records of Palm Beach County, Florida.

Summary: This petition site is located on the north side of Summit Boulevard and east of Jog Road within the Pine-Jog Environmental Center. The owner/petitioner is requesting the abandonment to utilize the unimproved rights-of-way within the Pine Jog Elementary School Site.

District: 6 (PK)

Background and Policy Issues: The owner/petitioner is Florida Atlantic University Foundation. The developer, the School District of Palm Beach County, received approval of the Final Plan from the Development Review Officer on October 10, 2007. The School District is constructing a 90,120 square foot "green" elementary school on this site, which is scheduled to open in School Year 2008/2009. The School District wants to clear the record in order to utilize these portions of the unimproved rights-of-way.

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

Recommended by: KS Lyons
Division Director

16 April 08
Date

Approved by: Deey T. Wahl
County Engineer

4/28/08
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>-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>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	
# ADDITIONAL FTE POSITIONS (Cumulative)					

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:

No additional fiscal impact as a result of this item.

C. Departmental Fiscal Review: RDW 4/11/08

III. REVIEW COMMENTS

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

Atwillhite 4.30.08
OFMB ^{5/1}4/30/08 CN 4/28/08
John J. Jaworski 5/12/08
Contract Dev and Control

B. Legal Sufficiency:

Paul F. J. 5/15/08
Assistant County Attorney

C. Other Department Review:

Division Director

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

RESOLUTION NO. R-2008-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PORTIONS OF THE UNIMPROVED RIGHTS-OF-WAY OF WAKULA STREET AND ASIMA STREET, WITHIN THE PLAT OF PINE-JOG SUBDIVISION, AS RECORDED IN PLAT BOOK 23, PAGE 245, 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 Florida Atlantic University Foundation, and the developer, the School District of Palm Beach County, 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 those portions of the unimproved rights-of-way of Wakula Street and Asima Street; 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.

RESOLUTION NO. R-2008-_____

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 portions of the unimproved rights-of-way of Wakula Street and Asima Street 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-2008-_____

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

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

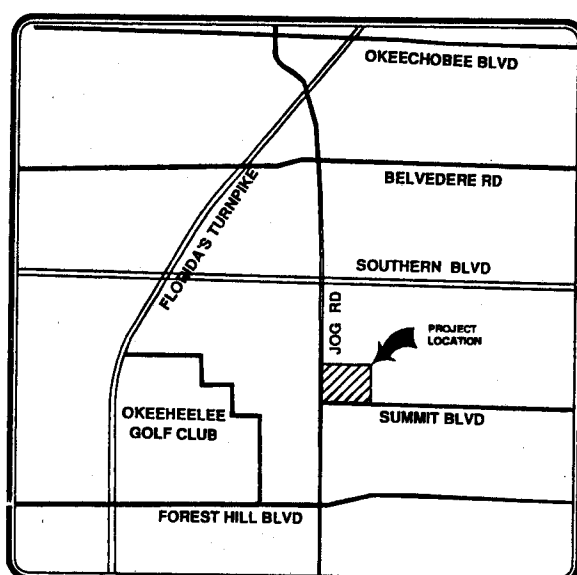
BY: _____
County Attorney

DESCRIPTION OF AN UNIMPROVED RIGHT-OF-WAY (WAKULA STREET) TO BE ABANDONED.

A PORTION OF THE PLAT OF PINE-JOG SUBDIVISION AS RECORDED IN PLAT BOOK 23, PAGE 245 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, THENCE SOUTH 88°38'12" EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 730.33 FEET; THENCE NORTH 01°21'48" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH RIGHT-OF-WAY OF SUMMIT BOULEVARD AS NOW LAID OUT AND IN USE AND THE POINT OF BEGINNING; THENCE NORTH 00°08'18" WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF WAKULA STREET AND THE EAST LINE OF LOT 5 AS SHOWN ON SAID PLAT, A DISTANCE OF 616.41 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 88°35'59" EAST, A DISTANCE OF 40.01 FEET TO THE NORTHWEST CORNER OF LOT 4 AS SHOWN ON SAID PLAT; THENCE SOUTH 00°08'18" EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF WAKULA STREET AND THE WEST LINE OF SAID LOT 4 A DISTANCE OF 616.39 FEET TO A POINT IN SAID NORTH RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD; THENCE NORTH 88°38'12" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SUMMIT BOULEVARD, A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 24,656 SQUARE FEET (0.566 ACRES) MORE OR LESS.



LOCATION MAP
N.T.S.

SECTION 3 , TOWNSHIP 44 SOUTH , RANGE 42 EAST

SEE SHEET 2 OF 2 FOR SKETCH

THIS SKETCH DOES NOT
REPRESENT A BOUNDARY SURVEY

[illegible]

CERTIFIED TO:

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 16G7-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
DATED THIS 15th DAY OF DECEMBER, 2006 A.D.

William D. Connor

WILLIAM D. O'CONNOR
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: LB6880

MILLER  LEGG

**Palm Beach Office: 2005 Vista Parkway • Suite 100
West Palm Beach, Florida • 33411-2719
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DRAWN BY:

CHECKED BY:

PROJECT NO.
06-00291

FILE NO.
06-00291

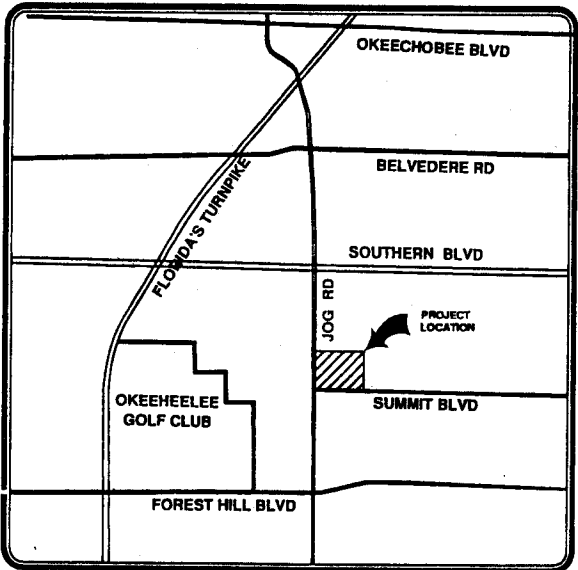
DESCRIPTION : ASIMA STREET

DESCRIPTION OF AN UNIMPROVED RIGHT-OF-WAY (ASIMA STREET) TO BE ABANDONED.

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CONTAINNING 24,646 SQUARE FEET (0.565 ACRES) MORE OR LESS.



LOCATION MAP
N.T.S.

SECTION 3 , TOWNSHIP 44 SOUTH , RANGE 42 EAST

SEE SHEET 2 OF 2 FOR SKETCH

THIS SKETCH DOES NOT
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DATED THIS 15th DAY OF DECEMBER, 2008 A.D.

William D. O'Connor
WILLIAM D. O'CONNOR

PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION No. 4563
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CERTIFICATE OF AUTHORIZATION: LB8880

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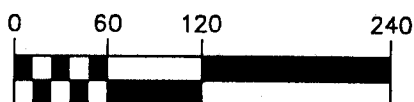
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DATE	REVISIONS	DWN.	CHK.

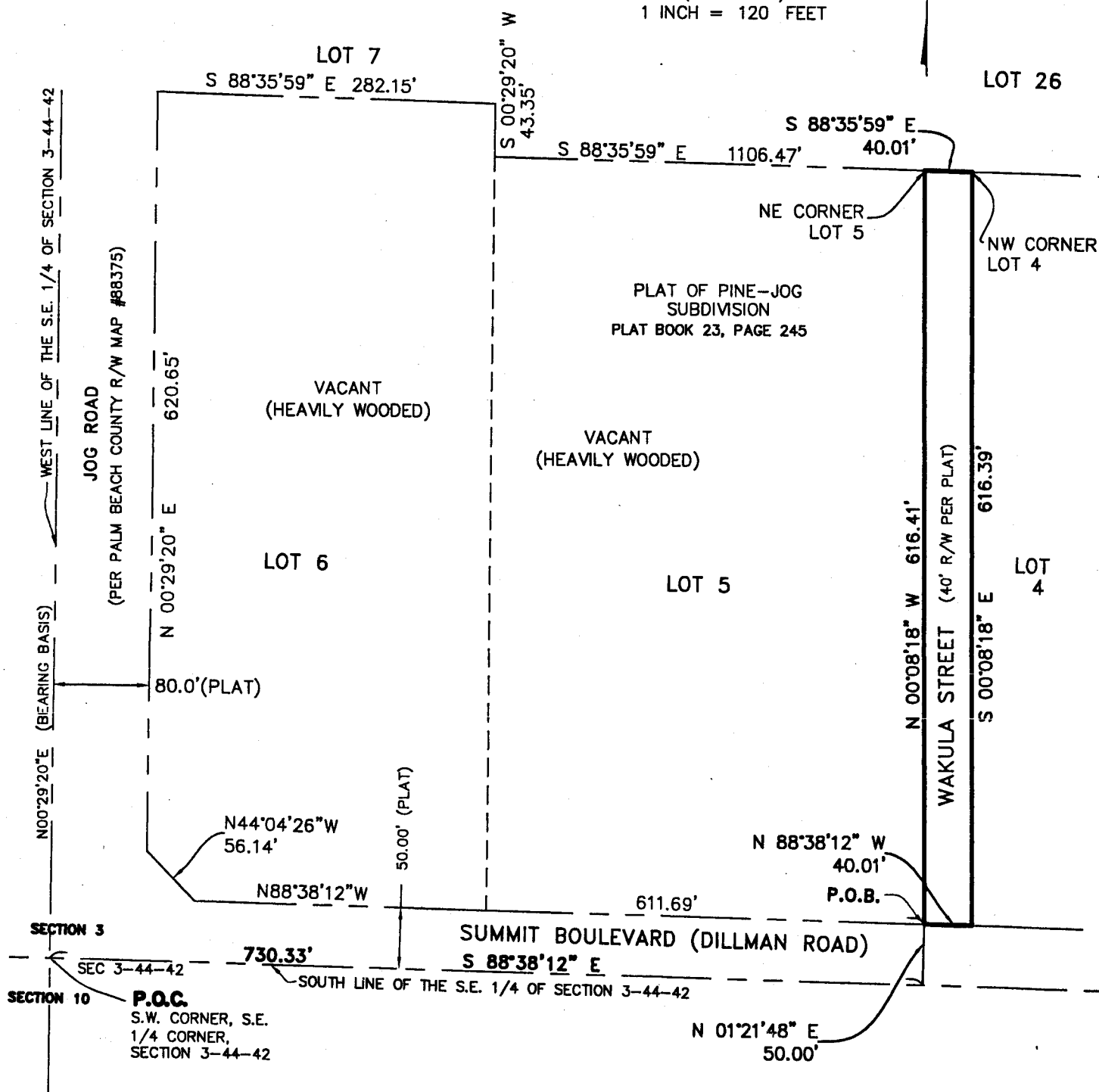
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CHECKED BY:

GRAPHIC SCALE



(IN FEET)
1 INCH = 120 FEET



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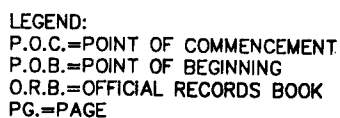
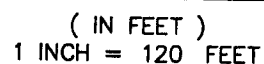
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