

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

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Meeting Date: 9/9/08 [X] Consent [] Regular
[] Workshop [] Public Hearing

Department:
Submitted By: Engineering and Public Works
Submitted For: Right-of-Way Acquisition Section

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A County Deed transferring certain rights-of-way to the Village of Palm Springs (Village).

SUMMARY: A recent review by staff and the Village has disclosed that certain rights-of-way, as shown in Exhibit "A" of the County Deed, being Lark Road, a portion of Davis Road, and a portion of 2nd Avenue North, are wholly within the Village limits. The Village has sent a request for a County Deed for these roads.

District 3 (MRE)

Background and Justification: The Village has requested a County Deed for 3 roads lying wholly within the Village limits. The first is Lark Road. The next is a portion of Davis Road, from Lake Worth Road to 10th Avenue North. The third is 2nd Avenue North, from Lake Worth Road to Congress Avenue.

These roads are not maintained by Palm Beach County (County), but the County owns rights-of-way along these roads, acquired at no cost, with one exception, and by plats. There is also a drainage easement along Davis Road that serves only that portion of Davis Road that will also be transferred to the Village.

The Village is maintaining these roads, and in order to remove any possible complication regarding their ownership, title, and rights, they have requested a County Deed. Staff has reviewed the requested portions and has no objections to the transfer.

Attachments:

- 1. Location Map
- 2. County Deed with Exhibit "A"

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Recommended by: *Orlando A. Fernandez* 7/24/09 *WJL*
Division Director Date

Approved by: *A. T. Webb* 7/28/08
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
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>	<u>-0-</u>
ADDITIONAL FTE POSITIONS (Cumulative)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Is Item Included In Current Budget? Yes _____ No _____					
__Budget Account No.: Fund _____ Dept. _____ Unit _____ Object _____					
Reporting Category					

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

THIS ITEM HAS NO FISCAL IMPACT

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

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

A. White 8-1-08 *[Signature]* 8/14/08
 OFMB Contract Dev. and Control
12/29/08 *& Jones 8/14/08*

B. Legal Sufficiency:

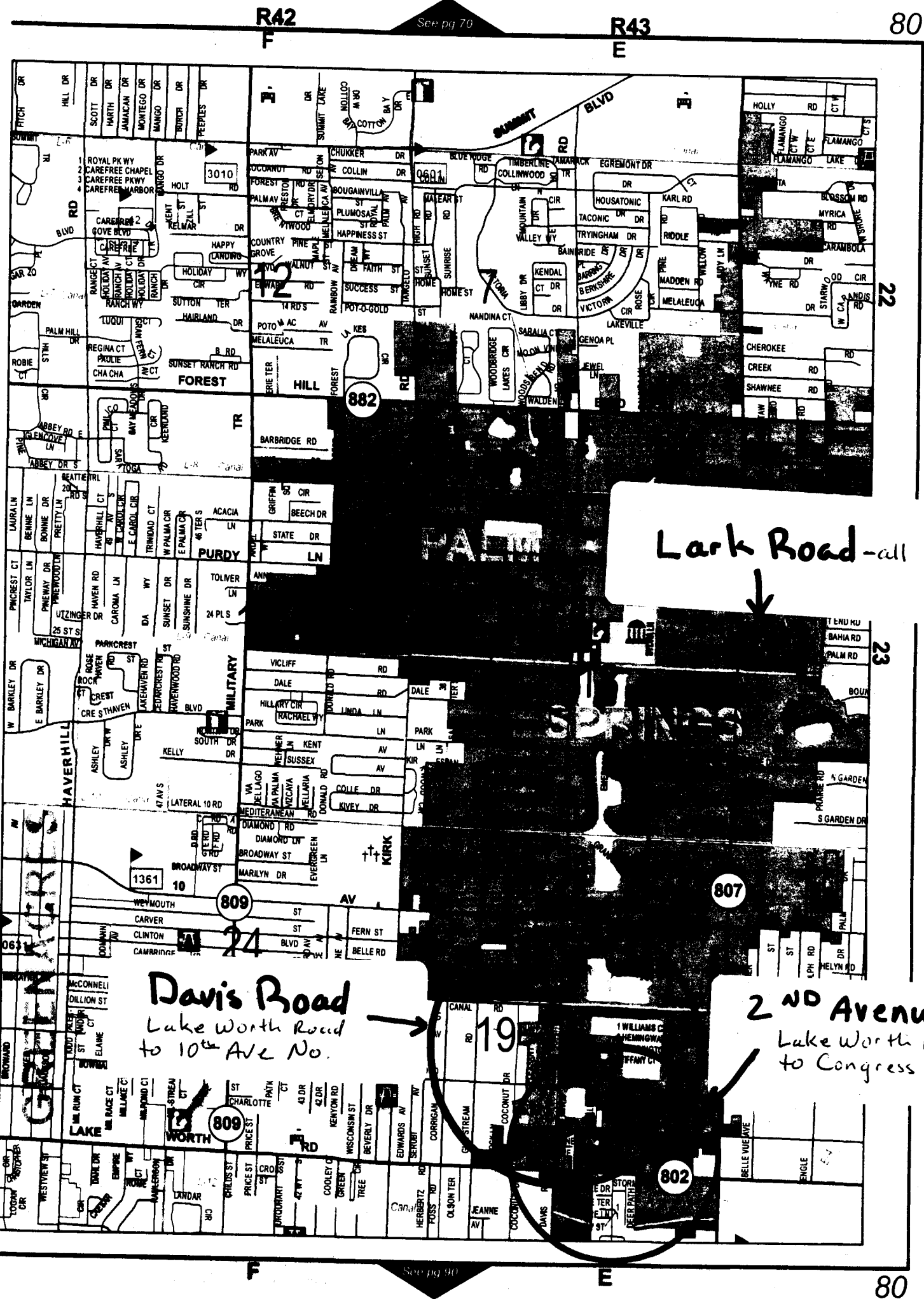
Paul F. [Signature] 8/5/08
 Assistant County Attorney

C. Other Department Review:

Department Director

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

Location Map



R42

See pg 70

R43

80

F

E

Lark Road - all

Davis Road
Lake Worth Road
to 10th Ave No.

2nd Avenue Na
Lake Worth Road
to Congress Ave.

F

See pg 90

E

80

RETURN TO:

PALM BEACH COUNTY
NAME: R/W ACQUISITION SECTION
POST OFFICE BOX 21229
ADDRESS: WEST PALM BEACH, FLORIDA 33416
ATTN: KAT
ACCT. NO.: 1010 W/C BOX 1066

C O U N T Y D E E D

THIS DEED, made this _____ by PALM BEACH COUNTY, a political subdivision of the State of Florida, party of the first part, and THE VILLAGE OF PALM SPRINGS, party of the second part.

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

Property more particularly described In Exhibit "A", attached hereto and made a part hereof.

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, FLORIDA, BY
ITS BOARD OF COUNTY COMMISSIONERS

BY: _____
Clerk (or Deputy Clerk)

BY: _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

This instrument prepared by:
Paul King, Assistant County Attorney
Palm Beach County
P.O. Box 21229
West Palm Beach, FL 33416

BY: _____
County Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 200__ by _____, Chairperson, Board of County Commissioners, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Typed name of Acknowledger
Deputy Clerk

EXHIBIT "A"

Lark Road, in Section 17, Township 44 South, Range 43 East, Palm Beach County, Florida, as now laid out and in use, including Official Record Book 2597, pages 467, 473, 475, and 477.

Davis Road, from Lake Worth Road to 10th Avenue North, in Section 19, Township 44 South, Range 43 East, Palm Beach County, Florida, as now laid out and in use; and Drainage Easement rights as described in Palm Beach County Board of County Commissioners Resolutions R-75-263 and R-75-265.

2nd Avenue North, from Lake Worth Road to Congress Avenue, in Section 19, Township 44 South, Range 43 East, Palm Beach County, Florida, as now laid out and in use, including Official Record Book 6610, page 166; Book 3755, page 20; Book 6411, page 536; Book 4219, page 1320; Book 11621, page 368; Book 14328, page 1033; Book 3540, page 1005; and Book 4619, page 1408.