

Agenda Item #:

4A

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: September 23, 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 a portion of an unimproved 30 foot wide road reservation lying within Block 81, Palm Beach Farms Company, Plat No. 3, as recorded in Plat Book 2, Pages 45-54, Public Records of Palm Beach County, Florida.

SUMMARY: This petition site is located north of Sandalfoot Boulevard on the east side of S.W. 65th Avenue. The petitioner is requesting the abandonment to satisfy a certification comment prior to rezoning the water treatment plant to the Public Ownership Zoning District.

District 5 (PK)

Background and Policy Issues: Palm Beach County Water Utilities Department wants to rezone the Water Treatment Plant Number 9 to the Public Ownership Zoning District. Prior to rezoning the subject property, it is necessary to abandon this portion of the unimproved road reservation in order to clear the record.

Utility service providers have no objection to the abandonment.

Attachments:

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

Recommended by: K. S. Rogers
Division Director

20 Aug 08
Date

Approved by: A. T. Wahl
County Engineer

8/25/08
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	

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: Andy

III. REVIEW COMMENTS

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

Atwillhite 9-2-08
OFMB SW 9/23/08 CN 8/28/08
Contract Dev. and Control
Dr. J. Jant 9/13/08
9/13/08

B. Legal Sufficiency:

Paul F. Jant 9/4/08
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, ABANDONING A PORTION OF AN UNIMPROVED THIRTY (30) FOOT WIDE ROAD RESERVATION LYING WITHIN BLOCK 81, PALM BEACH FARMS COMPANY, PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45-54, 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, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on September 23, 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 that portion of the unimproved road reservation; 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 September 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. The unimproved road reservation is hereby abandoned and closed as a road reservation and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to the road reservation, 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

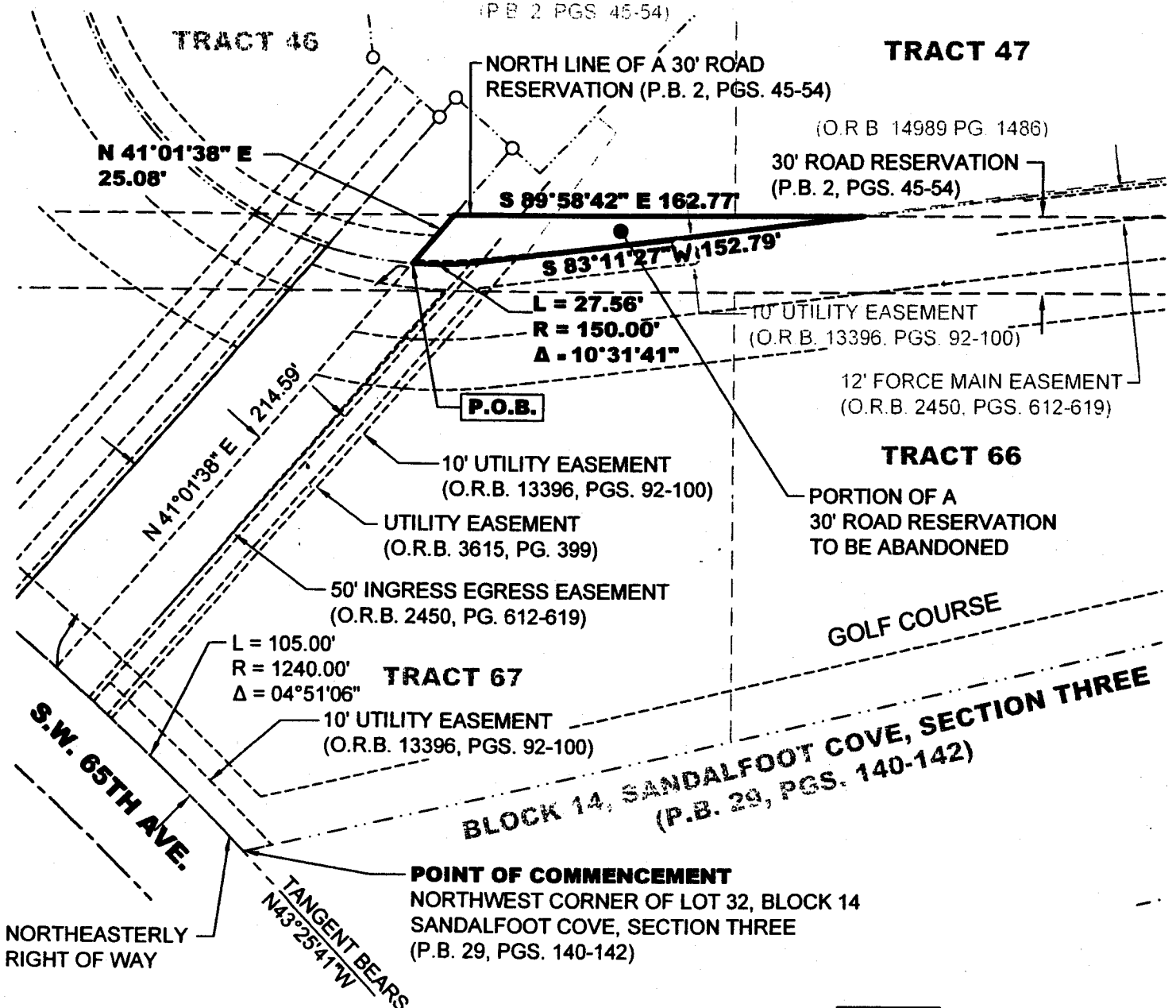
ROAD RESERVATION ABANDONMENT

A PORTION OF A 30 FOOT WIDE ROAD RESERVATION
LYING WITHIN BLOCK 81 OF PALM BEACH FARMS CO. PLAT NO. 3,
PLAT BOOK 2, PAGES 45-54, PALM BEACH COUNTY, FLORIDA

BLOCK 81

**PALM BEACH FARMS CO.
PLAT NO. 3**

(P.B. 2 PGS. 45-54)



LEGEND

P.O.B. POINT OF BEGINNING
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
P.B. PLAT BOOK

REVISIONS



E.B. NO. 0003449

Heller - Weaver and Sheremeta, inc.

Engineers ... Surveyors and Mappers
310 S.E. 1st Street, Suite 4 Delray Beach, Florida 33483
(561) 243-8700 - Phone (561) 243-8777 - Fax

DATE:	5/8/08
SCALE:	1"=60'
DRAWN BY:	S.R.ISAAC
CHECKED BY:	D.C.LAAK
SHEET:	2 OF 2
FILE NO.	08-15511.001-SS2

ROAD RESERVATION ABANDONMENT

A PORTION OF A 30 FOOT WIDE ROAD RESERVATION
LYING WITHIN BLOCK 81 OF PALM BEACH FARMS CO. PLAT NO. 3,
PLAT BOOK 2, PAGES 45-54, PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PORTION OF A 30 FOOT WIDE ROAD RESERVATION LYING WITHIN BLOCK 81 OF PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 32, BLOCK 14, SANDALFOOT COVE SECTION THREE, AS RECORDED IN PLAT BOOK 29, PAGES 140, 141 AND 142, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF S.W. 65TH AVENUE, AS SHOWN ON THE SAID PLAT OF SANDALFOOT COVE SECTION THREE, WHOSE TANGENT BEARS N43°25'41"W, WITH A RADIUS OF 1240.00 FEET AND A CENTRAL ANGLE OF 04°51'06" FOR AN ARC DISTANCE OF 105.00 FEET TO A POINT OF TANGENCY; THENCE N41°01'38"E DEPARTING FROM THE SAID NORTHEASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 214.59 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N41°01'38"E FOR 25.08 FEET TO A POINT ON THE NORTH LINE OF THE SAID 30 FOOT WIDE ROAD RESERVATION LYING WITHIN BLOCK 81 OF PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S89°58'42"E ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 162.77 FEET; THENCE S83°11'27"W FOR 152.79 FEET TO A POINT ON A TANGENT CURVE; THENCE WESTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT AND CONCAVE TO THE NORTH HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 10°31'41" FOR AN ARC DISTANCE OF 27.56 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE WITHIN PALM BEACH COUNTY, FLORIDA.

CONTAINING 1,745 SQUARE FEET MORE OR LESS.

NOTES:

- 1) THIS SKETCH AND LEGAL DESCRIPTION DOES NOT REPRESENT A FIELD SURVEY ("THIS IS NOT A SURVEY").
- 2) THIS SKETCH AND LEGAL DESCRIPTION IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OF A FLORIDA REGISTERED LAND SURVEYOR.
- 3) THE LEGAL DESCRIPTION SHOWN HEREON WAS WRITTEN BY THE UNDERSIGNING SURVEYOR AS DIRECTED BY THE CLIENT.
- 4) BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF S.W. 64TH WAY SANDALFOOT COVE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29 AT PAGES 140-142 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING AN ASSUMED BEARING OF NORTH 76°53'30" EAST.
- 5) SYMBOLS SHOWN HEREON ARE NOT TO SCALE.

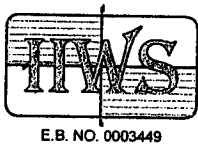
HELLER-WEAVER AND SHEREMETA, INC.
FLORIDA STATE L.B. NO. 3449

BY: DANIEL C. LAAK
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REG. NO. 5118

WORK ORDER# 15457.025

LEGEND

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