

Agenda Item #: 4-I

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

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Meeting Date: December 16, 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 renouncing and disclaiming any public interest in a portion of 95th Avenue within the plat of Rainberry Planned Unit Development, PODs A, B and C, as recorded in Plat Book 80, Pages 24-26 and as described in Official Record Book 12340, Page 1641, and all of Tract B, within the plat of Rainberry POD "D", recorded in Plat Book 86, Page 7-8, Public Records of Palm Beach County, Florida.

SUMMARY: This petition site is located south of Glades Road and east of State Road 7. The owner/petitioner is requesting that the public interest in this road be renounced and disclaimed because they want to increase security within the Planned Unit Development. Privatizing this road will allow the construction of a guardhouse and security gates.

District 5 (PK)

Background and Policy Issues: The owner/petitioner, the Jewish Federation of South P.B.C., Inc., wants to increase their security by privatizing the portion of 95th Avenue within their property and by constructing a guardhouse and security gates at their north property line. In order to accomplish this, the portion of 95th Avenue within their campus must be made into a private road by renouncing and disclaiming the public's interest.

Utility service providers have no objection to the vacation. A Palm Beach County Water Utility Easement will be recorded simultaneously with the abandonment. This easement covers the entire length and width of the road abandonment.

Privilege Fee Statement:

In accordance with the exemptions in the Right-of-Way Abandonment and Plat Vacation Ordinance 86-18, as amended by Ordinance No. 2002-034, the grant of the Palm Beach County's Water Utility Easement covers the entire length and width of the road abandonment, which negates the privilege fee.

Attachments:

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

=====
Recommended by: [Signature] 13 Nov 08 [Signature]
Division Director Date
Approved by: [Signature] 12/5/08
County Engineer Date
Refv007-2008.pub

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# 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:

[Signature]

III. REVIEW COMMENTS

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

[Signature] 12-8-08
OFMB *14/8/08* *12/18/08*

[Signature] 12/19/08
Contract Dev. and Control
E. Jones 12/19/08

B. Legal Sufficiency:

[Signature] 12/10/08
Assistant County Attorney

C. Other Department Review:

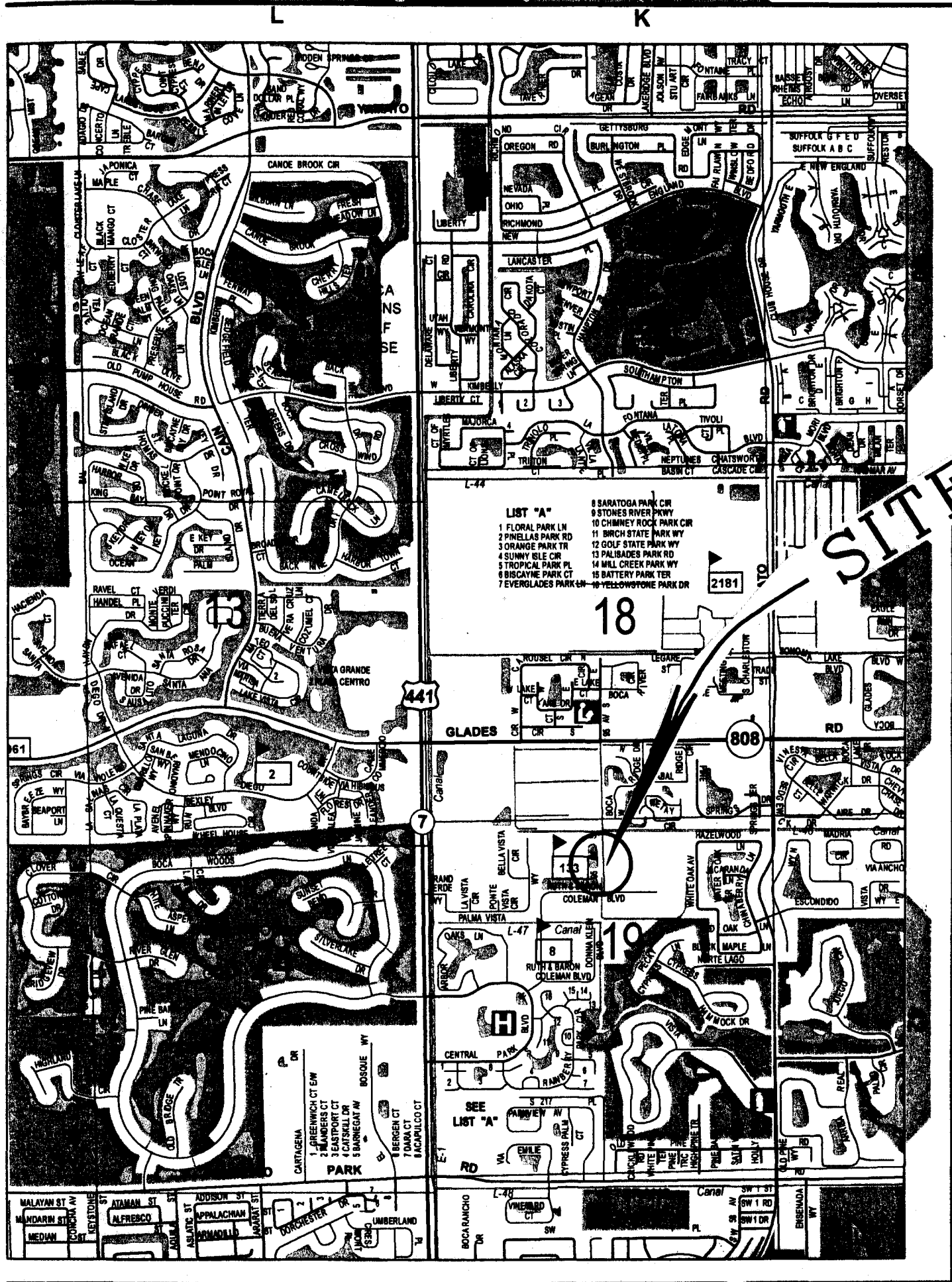
Division Director

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

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**VACATING A PORTION OF 95TH AVENUE
RAINBERRY PUD, PODs A, B AND C
RECORDED IN PLAT BOOK 80, PAGES 24-26**

LOCATION SKETCH



RESOLUTION NO. R-2008-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RENOUNCING AND DISCLAIMING ANY PUBLIC INTEREST IN A PORTION OF 95TH AVENUE WITHIN THE PLAT OF RAINBERRY PLANNED UNIT DEVELOPMENT, PODS A, B AND C, AS RECORDED IN PLAT BOOK 80, PAGES 24-26 AND AS DESCRIBED IN OFFICIAL RECORD BOOK 12340, PAGE 1641, AND ALL OF TRACT B, WITHIN THE PLAT OF RAINBERRY POD "D", RECORDED IN PLAT BOOK 86, PAGE 7-8, 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 the Jewish Federation of South P.B.C., Inc., called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on December 16, 2008, to consider and determine whether or not Palm Beach County would renounce and disclaim any right or interest of the County to that portion of 95th Avenue; 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 December 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 Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to that portion of 95th Avenue road right-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:

District 1: Karen T. Marcus

District 2: John F. Koons

District 3:

District 4: Mary McCarty

District 5:

District 6: Jess R. Santamaria

District 7:

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



Wantman Group, Inc.

Engineering ♦ Planning ♦ Surveying ♦ Environmental

2035 VISTA PARKWAY, SUITE 100 WEST PALM BEACH, FL 33411

(866) 909-2220 phone (561) 687-1110 fax

CERT No. 6091 - LB No. 7055

JACKSONVILLE - ORLANDO - PORT ST. LUCIE - TAMPA

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NATIONAL FLOOD INSURANCE PROGRAM:

Community Number 120192
Panel Number 0230B
Map Revision 10/15/1982
Flood Zone A0
Base Flood Elevation Depth 1'

LEGAL DESCRIPTION:

That portion of 95th Avenue, RAINBERRY P.U.D., PODS A,B, & C, according to the Plat thereof, as recorded in Plat Book 80, at Pages 24 through 26 inclusive and the realignment of 95th Avenue as described in Official Records Book 12340, at Page 1641 all being of the Public Records of Palm Beach County, Florida.

Said lands contain 82,907 square feet or 1.91 acres, more or less.

TOGETHER WITH:

All of Tract B, RAINBERRY POD "D", according to the Plat thereof, as recorded in Plat Book 86, at Pages 7 through 8 inclusive, of the Public Records of Palm Beach County, Florida.

Said lands contain 6,050 square feet or 0.14 acres, more or less.

LEGEND:

B.E.	= Buffer Easement
⊕	= Center line
CATV	= Cable Television Riser
CB	= Catch Basin
Conc.	= Concrete
CPP	= Concrete Power Pole
D.E.	= Drainage Easement
⊙	= Drainage Manhole
Δ	= Delta (Central Angle)
EJB	= Electrical Junction Box
⊕	= Fire Hydrant (FH)
FP&L	= Florida Power & Light Co.
Fnd	= Found
⊕	= Gate Valve (WV=Water Valve)
GUY	= Guy Wire Anchor
ICV	= Irrigation Control Valve
LB	= Licensed Surveying Business
L	= Length of Arc
L.A.E.	= Limited Access Easement
L.M.A.E.	= Lake Maintenance Access Easement
L.M.E.	= Lake Maintenance Easement
☆	= Light Pole
O.R.B.	= Official Records Book
P.B.C.R.	= Palm Beach County Records
P.B.	= Plat Book
PG.	= Page
R	= Radius
⊙	= Sanitary Sewer Manhole
●	= Set 5/8" Iron Pipe w/LB 7055 cap except as noted
— * —	= Information Signs
(Typ.)	= Typical
U.E.	= Utility Easement
W.M.	= Water Meter
WPP	= Wood Power Pole

FOR THE BENEFIT OF:

Jewish Federation of S.P.B.C.

SURVEYOR'S NOTES:

1. Unless it bears the signature and the original raised seal of a Florida licensed Surveyor and Mapper employed by Wantman Group, Inc., this report, sketch, plat or map is for informational purposes only and is not valid. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
2. Lands shown hereon were not abstracted by Wantman Group, Incorporated, for easements, reservations and/or rights of way of record.
3. Legal description per the Plats of RAINBERRY P.U.D., PODS A,B, & C, and RAINBERRY POD "D", Palm Beach County, Florida.
4. All measurements are the same as on record unless otherwise noted.
5. Wantman Group, Incorporated, Certificate of Authorization No. 7055, is issued by the Florida Department of Business and Professional Regulation.
6. This sketch has been prepared for the exclusive use of the entities named hereon. The certification shown hereon does not extend to any unnamed party.
7. Bearings shown hereon are based on the East boundary of the Plat of RAINBERRY POD "D", P.B. 86, Pg. 7-8, Palm Beach County, Florida, said East line bears South 00°01'09" East and all other bearings recited hereon are relative thereto.
8. This is an above-ground survey and locations are limited to visible improvements only. Underground utilities, if shown, are based on information provided by the various utility companies and these locations may vary and therefore be considered approximate. There may be additional underground utilities not shown on this drawing. No excavations were made to locate buried utilities.
9. Elevations refer to Palm Beach County, Bench Mark "TAPPEN", having a published elevation of 17.265', referenced to North American Vertical Datum of 1988.
10. This survey does not reflect nor determine ownership.
11. No abstract of title, title commitment, nor results of title searches were furnished to the surveyor. There may exist other documents of record that would affect this parcel. Subsurface and environmental conditions were not examined or considered as part of this survey.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch of Survey is true and correct to the best of my knowledge and belief and that it meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Chapter 472.027 Florida Statutes.

Date of Last Field Work: 01/25/08 FB/PG 228/24-27,30

For The Firm:
Wantman Group, Inc.

Derek G. Zeman
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA LICENSE NO. 5655

DATE: 4/8/08

DATE:	REVISION:	BY:	BY:	DATE:
02/22/08	REVISED PER RECORDING INFORMATION	MRG		
03/12/08	REVISED PER LAKE WORTH DRAINAGE DISTRICT	MRG	OFFICE	MRG
04/08/08	REVISED PER COMMENTS	MRG	CHECKED	DGZ
			DATE	01/28/08
			JOB	105505.04
			SHEET	1 OF 5
			DWG	50504_95th_Surv



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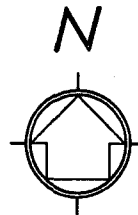
2035 VISTA PARKWAY, SUITE 100 WEST PALM BEACH, FL 33411

(866) 909-2220 phone (561) 687-1110 fax

CERT No. 6091 - LB No. 7055

JACKSONVILLE - ORLANDO - PORT ST. LUCIE - TAMPA

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VICINITY MAP
(NOT TO SCALE)

DATE:

REVISION:

BY:

02/22/08	REVISED PER RECORDING INFORMATION	MRG				
03/12/08	REVISED PER LAKE WORTH DRAINAGE DISTRICT	MRG	OFFICE	MRG	DATE 01/28/08	JOB 105505.04
04/08/08	REVISED PER COMMENTS	MRG	CHECKED	DGZ	SHEET 2 OF 5	DWG 50504_95th_Surv



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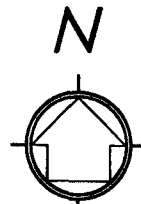
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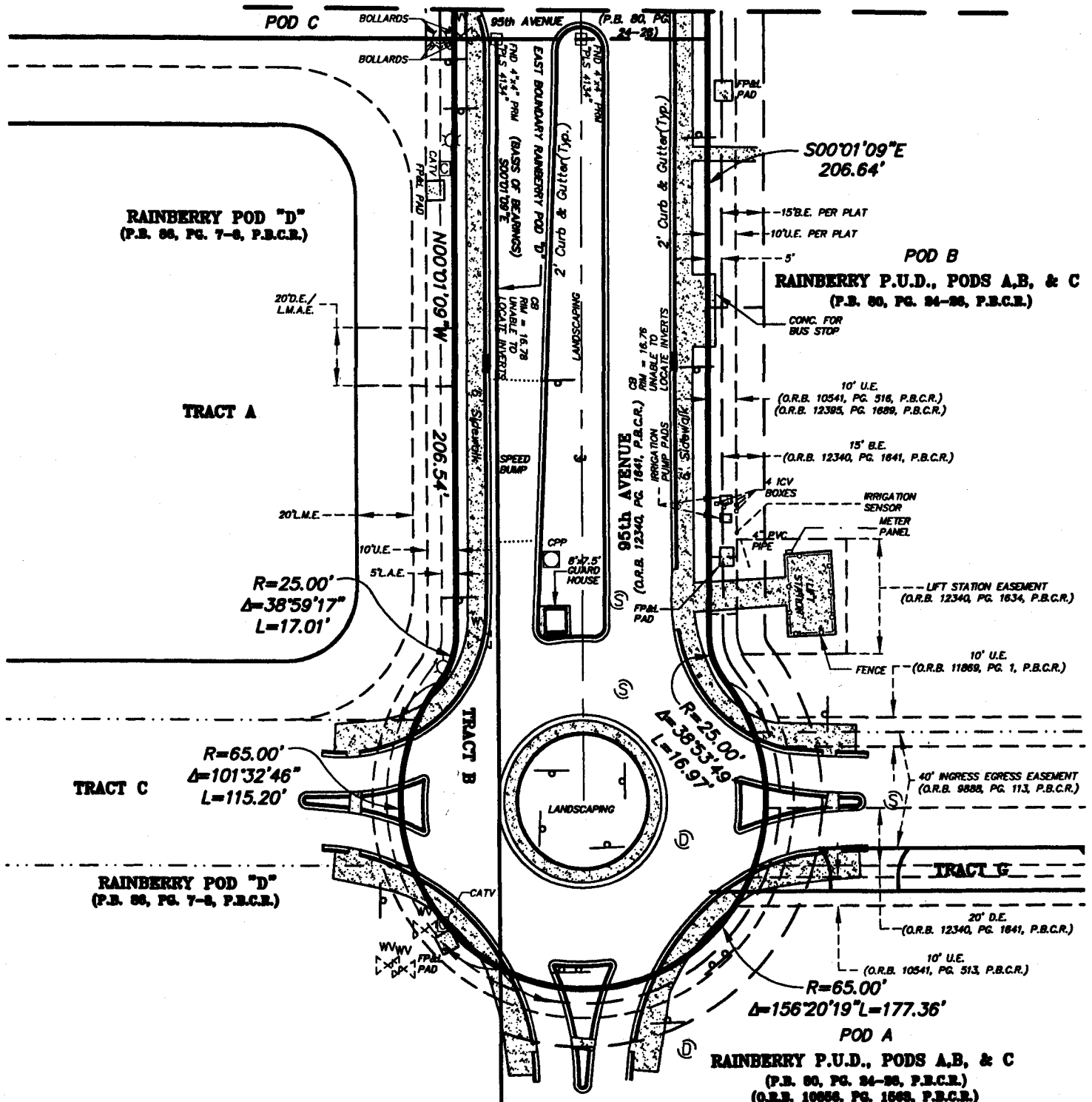
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SCALE: 1" = 50'

MATCH SEE SHEET 4



DATE:

REVISION:

BY:

02/22/08	REVISED PER RECORDING INFORMATION	MRG					
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04/08/08	REVISED PER COMMENTS	MRG	CHECKED	DGZ	SHEET 3 OF 5	DWG 50504_95th_Surv	



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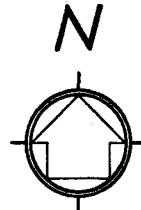
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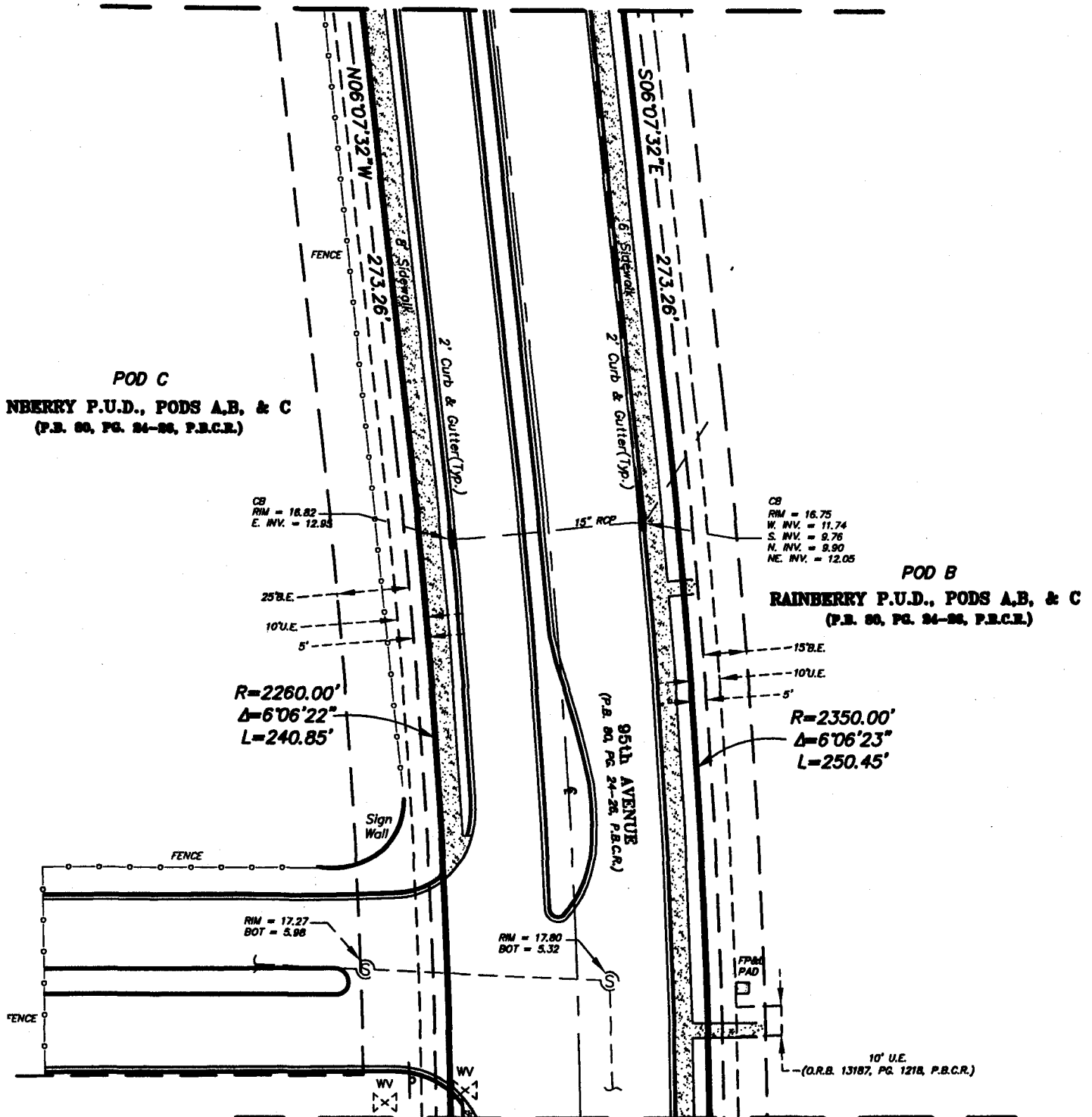
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SCALE: 1" = 50'

MATCH SEE SHEET 5



MATCH SEE SHEET 3

DATE:

REVISION:

BY:

02/22/08	REVISED PER RECORDING INFORMATION	MRG				
03/12/08	REVISED PER LAKE WORTH DRAINAGE DISTRICT	MRG	OFFICE	MRG	DATE 01/28/08	JOB 105505.04
04/08/08	REVISED PER COMMENTS	MRG	CHECKED	DGZ	SHEET 4 OF 5	DWG 50504_95th_Surv

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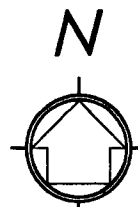
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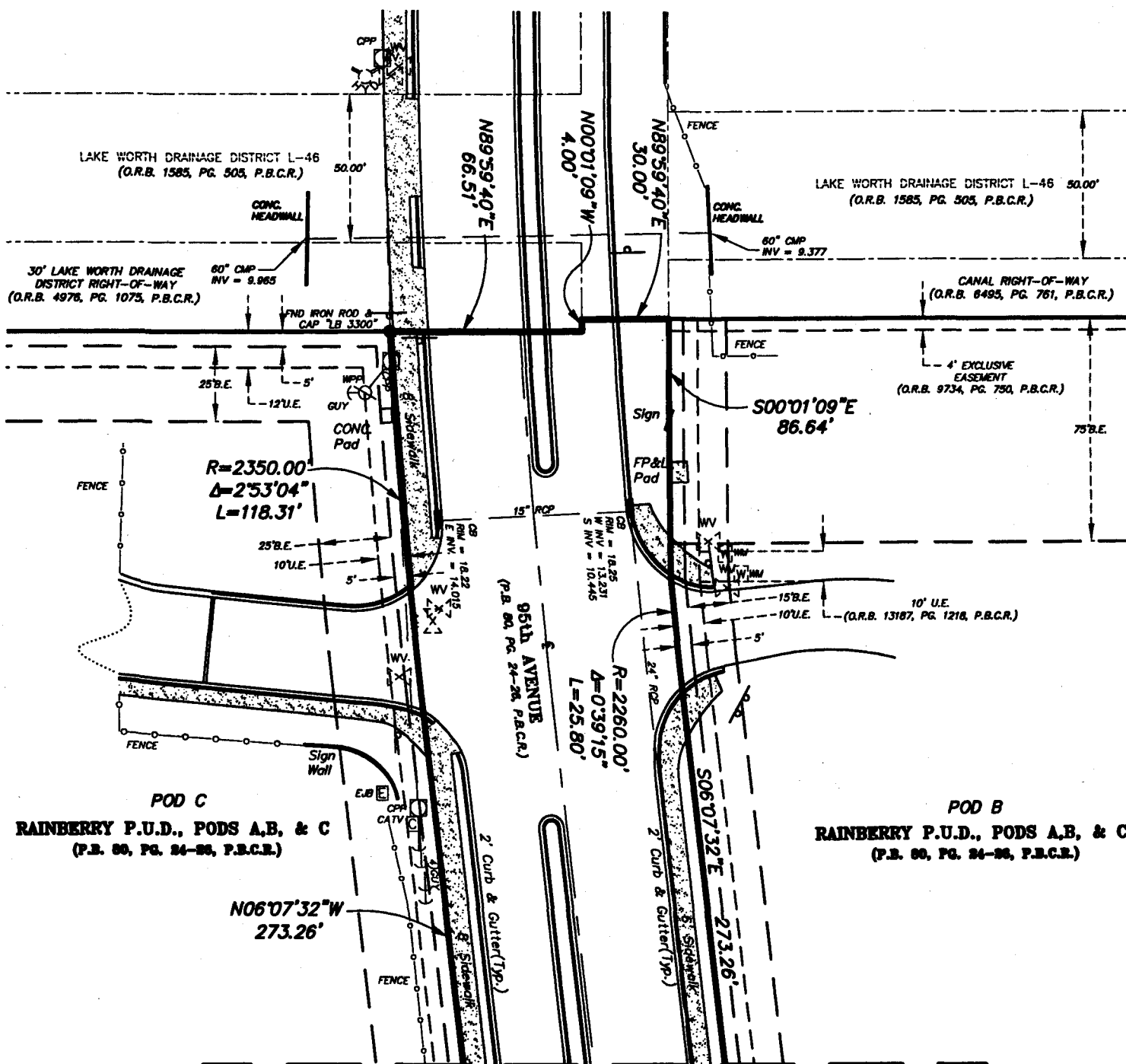
CERT No. 6091 - LB No. 7055

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SCALE: 1" = 50'



MATCH SEE SHEET 4

DATE:

REVISION:

BY:

DATE	REVISION	BY					
02/22/08	REVISED PER RECORDING INFORMATION	MGR					
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04/08/08	REVISED PER COMMENTS	MGR	CHECKED	DGZ	SHEET 5 OF 5	DWG 50504_95th_Surv	

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