Agenda Item #: 3 - C - 3

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

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Meeting Date: January 13, 2009 Department:	<pre>{X} Consent { } Workshop</pre>	<pre>{ } Regular { } Public Hearing</pre>
Submitted By: Engineerin	ng & Public Works ng Services Division ========	=======================================

#### I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to adopt:** A Resolution approving recordation and filing of a Specific Purpose Survey Maintenance Map with the Clerk of the Circuit Court of and for Palm Beach County (County), Florida, certifying that 59<sup>th</sup> Lane North, from the "M" Canal west to 200<sup>th</sup> Trail North, has been maintained or repaired, continuously and uninterrupted, by the County for over four years and all right, title, easement appurtenances in and to the road is therefore vested in the County.

**SUMMARY:** This recordation and filing will establish and confirm title of 59<sup>th</sup> Lane North, the westerly extension of 60<sup>th</sup> Street North, to the County in accordance with 95.361, Florida Statutes, which provides that upon four years of continuously and uninterrupted maintenance or repair of the road by the County and upon filing of a map with the Clerk, title to the road becomes vested in the County for the extent in width that it has been actually maintained. This maintenance includes road grading and roadside mowing of vegetation. The Road and Bridge Division Director has certified, on the cover of the 59<sup>th</sup> Lane North Specific Purpose Survey Maintenance Map, that it depicts the limits of maintenance by the County.

#### District 6 (MRE)

**Background and Justification:** On October 2, 2001, the Board of County Commissioners (Board) accepted the extension of 60<sup>th</sup> Street North (59<sup>th</sup> Lane North) from 200<sup>th</sup> Trail North to the "M" Canal, for "Interim Courtesy Maintenance". This section of road is part of the work schedule approved by the Board November 5, 1991, for a street improvement program to construct an 8.5 mile road loop which started west from Seminole Pratt Whitney Road on 60<sup>th</sup> Street North to 200<sup>th</sup> Trail North the extension of Sycamore Lane and then east to Seminole Pratt Whitney Road. The County has been maintaining 59<sup>th</sup> Lane North since its acceptance for maintenance.

## **Attachments:**

- 1. Location Sketch
- 2. Resolution
- 3. Interim Courtesy Maintenance approval
- 4. Maintenance Map

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Or Charles Rich	12/1/08	, lle
Division Director	Date	
Sy J. Wild	12/16/08	
<b>County Engineer</b>	Date	
		Division Director Date

# II. FISCAL IMPACT ANALYSIS

# A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2009</u>	<u>2010</u>	2011	2012	2013
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 <sub>7</sub>	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	*	-0-	-0-	-0-	-0-
# ADDITIONAL FTE	-0-	-0-	-0-	-0-	-0-
POSITIONS (Cumulative)	) -0-	-0-	-0-	-0-	-0-
Is Item Included In Curren	nt Budget?	Yes	No		

#### Budget Account No.:

Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

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

#### NO FISCAL IMPACT

C. Departmental Fiscal Review:

# **III. <u>REVIEW COMMENTS</u>**

A. OFMB Fiscal and/or Contract Dev. and Control Comments: No fiscal inpact.

-18-18 OFMB  $\boldsymbol{\varsigma}$ 

CN/16/08 Contract Dev. and Cont 6

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

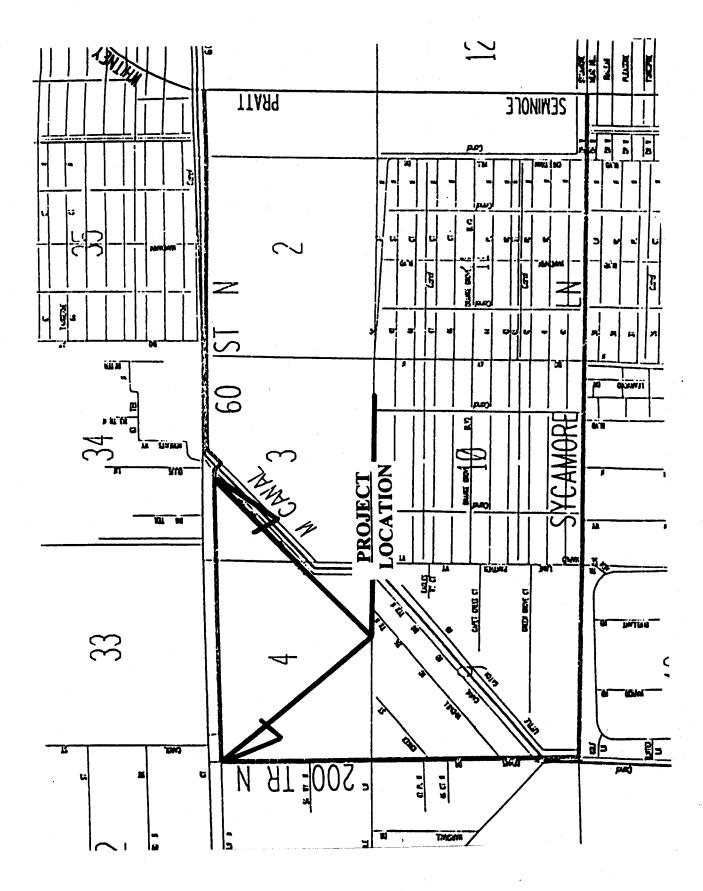
# **Department Director**

This summary is not to be used as a basis for payment. N:\ENG\_SER\PROJECTS\2008050-59th Lane N\AIS-Maint Map.doc

This item complies with current County policies. 719708

**ATTACHMENT 1** 

# PROJECT LOCATION 59<sup>TH</sup> LANE NORTH PROJECT NO. 2008050



**LOCATION SKETCH** 

#### RESOLUTION NO.

## RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO APPROVE THE RECORDATION/FILING OF A MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY, FOR 59<sup>TH</sup> LANE NORTH, FROM THE "M" CANAL, WEST TO 200<sup>TH</sup> TRAIL NORTH, SECTIONS 3, 4 AND 5, TOWNSHIP 43 SOUTH, RANGE 40 EAST, WITH THE CLERK OF THE CIRCUIT COURT OF AND FOR PALM BEACH COUNTY, FLORIDA

**WHEREAS**, the 59<sup>th</sup> Lane North, from the "M" Canal, west to 200<sup>th</sup> Trail North, Maintenance Map – Specific Purpose Survey has been submitted to the Board of County Commissioners for approval for filing for records; and

**WHEREAS**, the Road and Bridge Division Director has certified that Palm Beach County has maintained this area of 59<sup>th</sup> Lane North for four years, as required by Florida Statute 95.361.

**WHEREAS**, Florida Statute **95.361 Roads presumed to be dedicated**, states that when a road has been maintained or repaired continuously and uninterruptedly for four (4) years by the County, the road shall be deemed to be dedicated to the public to the extent in width that has been actually maintained. The dedication shall vest all right, title, easement and appurtenances in and to the road in the County; and

**WHEREAS**, the Maintenance Map, shall be filed at the office of the clerk of the circuit court of the County where the road is located. The Maintenance Map shall recite on it that the road is vested in the County and shall be duly certified by the Chairman and Clerk of the Board of County Commissioners of the County. Said filing shall be prima facie evidence of ownership by the County.

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 Chairman of the Board and the County Engineer are hereby authorized to sign the Specific Purpose Survey (Maintenance Map) and the Clerk is authorized to sign same.

RESOLUTION NO.

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:

Commissioner John F. Koons, Chairman Commissioner Burt Aaronson, Vice Chairman Commissioner Karen T. Marcus Commissioner Shelley Vana Commissioner Mary McCarty Commissioner Jess R. Santamaria Commissioner Addie L. Greene

The Chairman thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_day of \_\_\_\_\_\_, 200\_\_\_\_\_,

COMPTROLLER

SHARON R. BOCK, CLERK AND PALM BEACH COUNTY, FLORIDA BY ITS' BOARD OF COUNTY COMMISSIONERS:

By:\_\_\_

Deputy Clerk

John F. Koons, Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

County Attorney

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Agenda item #: 3-C PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY 0 Meeting Date: October 2, 2001 {X} Consent {} Regular **{ }** Workshop **{} Public Hearing** Department: Submitted By: Engineering and Public Works **Submitted For: Engineering Services Division** 

PROJECT NO. 97126

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: The acceptance of 60<sup>th</sup> Street North (200<sup>th</sup> Trail North to the "M" Canal) under the Municipal Service Taxing Unit (MSTU) Street Improvement Program and extend "Interim Courtesy Maintenance" at this time.

**Summary:** This item will provide for "Interim Courtesy Maintenance" by the County of 60<sup>th</sup> Street North (from 200<sup>th</sup> Trail North to the "M" Canal). The estimated annual maintenance cost, until this section of road is improved, is \$20,000. Bringing it up to County standards for a shell rock road is expected to cost less than \$10,000. It is anticipated that paving and drainage improvements will be constructed on this section of road in the 2004 Budget Year. Staff expects that the design and construction of this road will cost between \$750,000 - \$1,000,000. This funding is expected to come from countywide MSTU funds. District: 6 (ME)

**Background and Justification:** On November 5, 1991, the Board reviewed and conceptually approved a work schedule for a street improvement program to construct an 8.5 mile loop comprised of the following roads:

- 1. 60<sup>th</sup> Street North (200<sup>th</sup> Trail North to Seminole Pratt Whitney Road)
- 2. 200<sup>th</sup> Trail North (Sycamore Lane to 60<sup>th</sup> Street North)
- 3. Sycamore Lane (200<sup>th</sup> Trail North to Seminole Pratt Whitney Road)

Paving and drainage improvements have been constructed on two segments of the loop (60<sup>th</sup> Street North from the "M" Canal to Seminole Pratt Whitney Road and Sycamore Lane from Lame Panther Way to Seminole Pratt Whitney Road).

The owners of property abutting the segment of the loop between 200<sup>th</sup> Trail North and the "M" Canal have now executed documents dedicating this section of road to the County.

In accordance with County MSTU Policies and Procedures and pursuant to the work schedule conceptually approved on November 5, 1991, it is now proper to extend "Interim Courtesy Maintenance" to 60<sup>th</sup> Street North (200<sup>th</sup> Trail North to the "M" Canal).

The Engineering Road & Bridge Division estimates the annual cost to provide interim maintenance until the road can be improved to be \$20,000. A copy of the estimate is attached.

# Attachments

1.

2.

Location Sketch		
Engineering Road	& Bridge	Cost Estimate

BY BOARD OF COUNTY C MISSIONERS **MING OF** The. D.C. MINUTES & RECORDS SECTION

Recommended b	y:	
	Division Director	Date
Approved by:	Am T. KIH	glolar

**Jounty Engineer** 

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years Capital Expenditures Operating Costs	2002 <u>20.000</u> 0-	2003 <u>20.000</u> 0-	2004 0- 0-	<b>2005</b>  	<b>2006</b> 0
External Revenues Program Income (County) In-Kind Match (County)	  	  	-0- -0- -0-	-0- -0- -0-	-0- -0- -0-
NET FISCAL IMPACT # ADDITIONAL FTE	20.000	20.000			
POSITIONS (Cumulative)					

is item included in Current Budget? Yes X No Budget Acct No.: Fund 106 Agency 360 Org. 2230 Object Various

# Reporting Category \_

B. Recommended Sources of Funds/Summary of Fiscal Impact: County Transportation Trust Fund Included in Annual Operating Budget

C. Departmental Fiscal Review:

III. <u>REVIEW COMMENTS</u>

2

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

9.17.01 ~m

Contract Dev. and Control

**B. Legal Sufficiency:** 

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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