Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

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Meeting Date: August 18, 2009		[] Consent	[] Regular	
Department:		[] Workshop	[X] Public Hearing	
Submitted By: Submitted For:		ering and Public Works evelopment Division		
	 <u> .</u>	EXECUTIVE BRIEF	=======================================	=

Motion and Title: Staff recommends motion to adopt: A Resolution abandoning portions of the unimproved 25 foot and 30 foot wide platted rights-of-way, adjoining Tract 5, Block 4, Palm Beach Farms Plat No. 3, as recorded in Plat Book 2, Pages 45-54, Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of this resolution will allow for the abandonment of the unused road rights-of-way, lying within Palm Beach County Water Treatment Plant No. 8. The site is located south of Okeechobee Boulevard, east of Jog Road and north of Belvedere Road. Palm Beach County Water Utilities Department operates this treatment plant and their proposed site plan, as approved by the Development Review Officer, calls for the abandonment of these rights-of-way.

District 2 (PK)

Background and Policy Issues: The owner, Palm Beach County, is requesting the abandonment to allow for the development of the revised site plan as approved by the Development Review Officer.

Utility service providers have no objection to the vacation because replacement easements will be provided.

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 Sketches

2. Resolution with Legal Description and Sketch

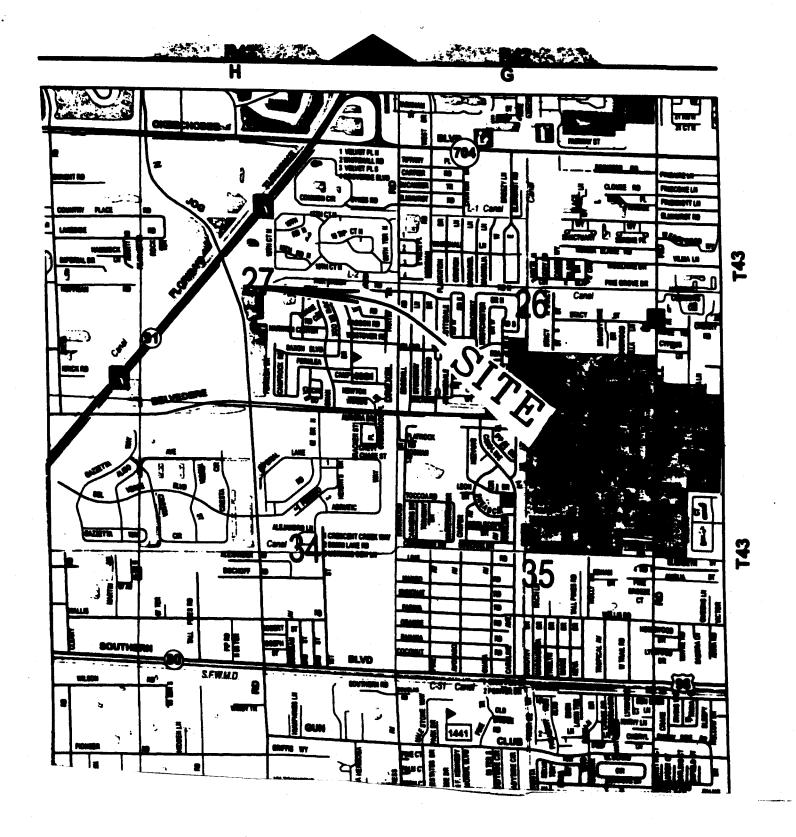
Recommended by

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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					
<pre># ADDITIONAL FTE POSITIONS (Cumulative)</pre>		***************************************			
Is Item Included In Curr					
Budget Account No.: Fun	d A	gency	Org.	Obj	ect
Pro	gram				
B. Recommended Sources	of Funds	s/Summary	of Fisca	al Impac	:t:
No additional fiscal	impact	as a res	ult of th	nis item	ı.
C. Departmental Fiscal			illhite		
I	II. <u>REVI</u>	EW COMMEN	<u>TS</u>		
A. OFMB Fiscal and/or (Contract	Dev. and	Control	Comment	:s:
na 2-28-09	7/30/09	-0	Ju- J	- Jawl	7130/09
OFMB VY	7130101	Con	tract De	v. and	Control
B. Legal Sufficiency:					
Assistant County Att	7/3/09 corney				
C. Other Department Rev	/iew:	•		-	
Division Director					

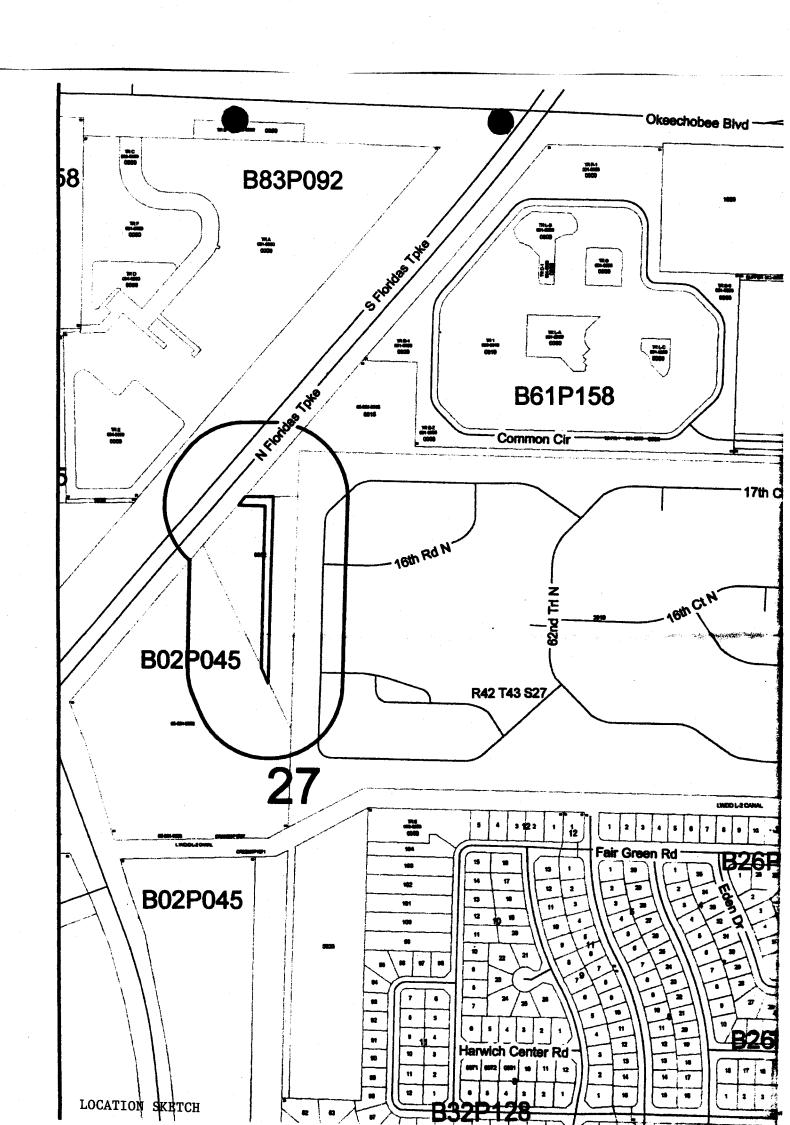
This summary is not to be used as a basis for payment.



ABANDONING PORTIONS OF UNIMPROVED 25' & 30' WIDE PLATTED RIGHTS-OF-WAY ADJOINING TRACT 5, BLOCK 4 PALM BEACH FARMS PLAT NO. 3 PLAT BOOK 2, PAGES 45-54

LOCATION SKETCH
N





RESOLUTION NO. R-2009-	
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RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING PORTIONS OF THE UNIMPROVED 25 FOOT AND 30 FOOT WIDE PLATTED RIGHTS-OF-WAY, ADJOINING TRACT 5, BLOCK 4, PALM BEACH FARMS 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 Water Utilities Department, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on August 18, 2009, 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 certain portion of the 25 foot wide and 30 foot wide platted rights- of-way 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 August 1, 2009, 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-2009-	RESOI	N NOITU.	O. R-2009-	
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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. That certain 25 foot wide and 30 foot wide unimproved 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 those certain unimproved 25 foot wide and 30 foot wide rights-of- way, more fully described in the legal description and sketch attached hereto and made a part hereof.
- 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-20	009-
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The	foregoing Reso	olution was offered by Commissioner
***	, who move	d its adoption. The motion was seconded by
Commissioner		_ and, upon being put to a vote, the vote was as
follows:		
	Commission	er John F. Koons, Chairman
	Commissione	er Burt Aaronson, Vice Chairman
	Commission	er Karen T. Marcus
	Commission	er Shelley Vana
	Commission	er Steven L. Abrams
	Commission	er Jess R. Santamaria
	Commission	er Priscilla A. Taylor
4		
The	Chair thereupo	on declared the Resolution duly passed and
adopted this	day of	, 2009.
		PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS Sharon R. Bock, Clerk & Comptroller
		DV.
		BY: Deputy Clerk
APPROVED A	S TO FORM	j¥.,
AND LEGAL S		
BY:		
Co	ounty Attorney	

WATER TREATMENT PLANT NO. 8 25' AND 30' RIGHT OF WAY ABANDONMENT

25 FOOT PLATTED RIGHT-OF-WAY ADJOINING TRACTS 5 AND 6, AND A 30 FOOT PLATTED RIGHT OF WAY ADJOINING TRACT 5, BLOCK 4, PALM BEACH FARMS CO. PLAT NO 3, PLAT BOOK 2, PAGES 45-54, SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PORTION OF THAT CERTAIN 25.00 FOOT PLATTED RIGHT-OF-WAY LYING EAST OF AND ADJOINING TRACTS 5 AND 6, BLOCK 4, AND A PORTION OF THAT CERTAIN 30.00 FOOT PLATTED RIGHT-OF-WAY LYING NORTH OF AND ADJOINING TRACT 5, BLOCK 4 PALM BEACH FARMS CO. PLAT NO 3, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT 6, BLOCK 4, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THENCE N 01°36'36" E ALONG THE EAST LINE OF SAID TRACT 6, FOR A DISTANCE OF 650.43 FEET; TO THE POINT OF BEGINNING; THENCE CONTINUE N01°36'36"E ALONG THE EAST LINE OF SAID TRACT 6, AND THE EAST LINE OF TRACT 5 OF SAID BLOCK 4, FOR A DISTANCE OF 670.51 FEET TO THE NORTHEAST CORNER OF SAID TRACT 5; THENCE S89°10'01"W ALONG THE NORTH LINE OF SAID TRACT 5 FOR A DISTANCE OF 89.40 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE FLORIDA'S TURNPIKE AS SHOWN ON THAT CERTAIN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FPID NO. 406112-1 SHEET 4 OF 9; THENCE N40°38'55"E ALONG THE SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 40.14 FEET; THENCE DEPARTING FROM SAID EASTERLY RIGHT OF WAY LINE N89°10'01"E ALONG A LINE PARALLEL WITH AND 30 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID TRACT 5 FOR A DISTANCE OF 89.13 FEET, SAID PARALLEL LINE BEING COINCIDENT WITH THE SOUTH LINE OF TRACT 1 OF SAID BLOCK 4; THENCE S01°36'36"W ALONG A LINE PARALLEL WITH AND 25 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID TRACT 5 AND SAID TRACT 6 FOR A DISTANCE OF 749.58 FEET; THENCE N25°56'34"W ALONG THE SOUTHWESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 1099, AT PAGE 224 FOR A DISTANCE OF 54.05 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE WITHIN PALM BEACH COUNTY, FLORIDA.

SAID LAND CONTAINING 0.47 ACRES 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 WAS NOT ABSTRACTED FOR EASEMENTS AND OR RIGHTS OF WAY OF RECORD OTHER THAN SHOWN.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OF A FLORIDA REGISTERED SURVEYOR.
- 4) THE LEGAL DESCRIPTION SHOWN HEREON WAS CREATED BY THE UNDERSIGNING FIRM AS DIRECTED BY PALM BEACH COUNTY WATER UTILITIES DEPARTMENT.
- 5) BEARINGS SHOWN HEREON ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM 1983 (ADJUSTMENT OF 1990) NORTH SOUTH QUARTER SECTION LINE OF SECTION 27 HAVING A BEARING OF S01°47'04"W.

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

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

O.R.B.

LEGEND:

P.B.

PLAT BOOK

PG.

PAGE(S)

OFFICIAL RECORDS BOOK

REVISIONS 6-08-09 PER COUNTY'S COMMENTS



Heller - Weaver and Sheremeta, inc.

Engineers ... Surveyors and Mappers 310 S.E. 1st Street, Suite 5 Delray Beach, Florida 33483 (561) 243-8700 - Phone (561) 243-8777 - Fax

DATE 4-15-2009 SCALE: N/A DRAWN BY: W. ROLLE CHECKED BY: D. C. LAAK SHEET: 10F2 FILE NO. 09-15431.008-SS1

