Agenda Item #: 3-C-5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: May 18, 2010	[X] Consent [] Workshop	[] Regular [] Public Hearing
Department:		
Submitted By: English	gineering and Public Wond Development Division	orks n
	I. EXECUTIVE BRIE	<u>F</u>
Portion of a two foot Mide fill	ity easement as record Replat of Part of Block 5	adopt: A Resolution vacating a led in Deed Book 267, Page 366, 7, West Gate Estates, recorded in County, Florida.
ASSISTINGUISH OF A LICAN LIFE KE	scue Station at the nor The utility providers a	ne petitioner to make way for the thwest corner of Oswego Avenue re utilizing other available utility s no longer needed.
District 2 (PK)		
street. The location of the sconstruction of the Fire Rescu Utility providers are currently	on will replace the existing subject utility easement ue Station, necessitating other available utilizing other available.	n Beach County, is constructing a ng Fire Station located across the t is in conflict with the proposed g the need for the abandonment. le utility easements in the area, providers have no objection to the
Utility easements are exempt to Palm Beach County Right-of-Vamended.	from the privilege fee re Vay Abandonment and I	equirement in accordance with the Plat Vacation Ordinance 86-18, as
Attachments: 1. Location Sketch (attachmer 2. Resolution with Legal Desc	nt 1) ription and Sketch	
Recommended by:(_/อะมมู	Ll Kuenner for Division Director	Apr. 1 19, 2010 Date
Approved by:	County Engineer	৭/২ঃ//০ Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	<u>-0-</u>
External Revenues	-0-	-0-	-0-	<u>-0-</u>	<u>-0-</u>
Program Income (County)	-0-	-0-	-0-		<u>-0-</u>
In-Kind Match (County)	-0-	<u>-0-</u>	-0-	-0-	<u>-0-</u> -0-
NET FISCAL IMPACT	\$ -O-	-0-	-0-	-0-	<u>-0-</u>
# ADDITIONAL FTE	•				
POSITIONS (Cumulative)					
Is Item Included in Current	Budget?	Yes		No .	
Budget Acct No.: Fund Progr	Dept		ject		
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact.

C.	Departmental Fiscal Review:	. Arrillite
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III. REVIEW COMMENTS

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

	V Diago 4/20/10	De J Ann Duran
	OFMB MOCH-28-1D S	Contract Dev and Control
D •		

B. Approved as to Form and Legal Sufficiency:

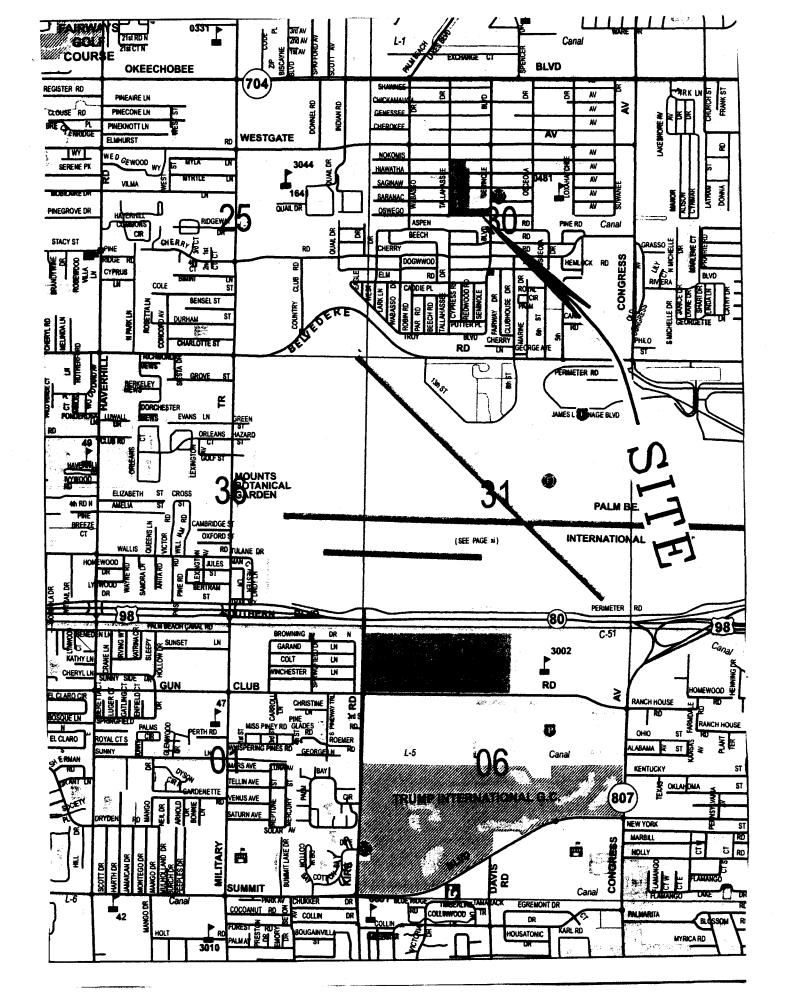
Assistant County Attorney

C. Other Department Review:

Department Director

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

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VACATE PORTION OF 2' WIDE UTILITY EASEMENT WITHIN DEED BOOK 267, PAGE 366, LYING WITHIN LOT B OF THE REPLAT OF PART OF BLOCK 57 WEST GATE ESTATES, PLAT BOOK 18, PAGE 94

ATTACHMENT 1

LOCATION SKETCH
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RESOLUTION NO. R-2010-	RE	SO	LU.	TION	NO.	R-2010	•
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RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING A PORTION OF A TWO FOOT WIDE UTILITY EASEMENT AS RECORDED IN DEED BOOK 267, PAGE 366, WHICH LIES WITHIN LOT B OF THE REPLAT OF PART OF BLOCK 57, WEST GATE ESTATES, RECORDED IN PLAT BOOK 18, PAGE 94, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, has considered the vacation pursuant to authority in Sections 177.101 and 336.09 of the Florida Statutes and Ordinance No. 86-18 known as the Palm Beach County Right-of-Way Abandonment and Plat Vacation Ordinance, as amended, for the vacation of a portion of a two foot wide utility easement; and

WHEREAS, petition to vacate said easement was submitted by Palm Beach County; and

WHEREAS, this petition substantially complies with the terms and conditions of the vacation as set forth in said Ordinance; and

WHEREAS, this Board, while convened in regular session on May 18, 2010, did hold a meeting on said petition to vacate, and this Board determined that said easement is in excess of the requirements of the local utility companies.

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 easement is hereby vacated and closed as a public easement and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to the easement, 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

3.

BY: ____

County Attorney

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. 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 Burt Aaronson, Chair Commissioner Karen T. Marcus, Vice Chair Commissioner Jeff Koons Commissioner Shelley Vana Commissioner Steven L. Abrams Commissioner Jess R. Santamaria Commissioner Priscilla A. Taylor The Chair thereupon declared the Resolution duly passed and adopted this _____, 2010. PALM BEACH COUNTY, FLORIDA, BY ITS **BOARD OF COUNTY COMMISSIONERS** Sharon R. Bock, Clerk & Comptroller Deputy Clerk APPROVED AS TO FORM AND **LEGAL SUFFICIENCY**

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF A 2 FOOT WIDE UTILITY EASEMENT AS RECORDED IN DEED BOOK 267. PAGE 366 OF SAID PUBLIC RECORDS, LYING WITHIN LOT B OF THE REPLAT OF PART OF BLOCK 57, WEST GATE ESTATES, RECORDED IN PLAT BOOK 18, PAGE 94 OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT B; THENCE ALONG THE EAST LINE OF SAID LOT B AND WEST RIGHT-OF-WAY LINE OF SEMINOLE BOULEVARD, S00'00'00'E FOR 2.00 FEET TO A LINE 2 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT B;

THENCE ALONG SAID PARALLEL LINE, S90°00'00"W FOR 178.78 FEET TO THE WEST LINE OF SAID LOT B;

THENCE ALONG SAID WEST LINE OF LOT B, NOO'00'00"W FOR 2.00 FEET TO THE NORTH LINE OF SAID LOT B;
THENCE ALONG SAID NORTH LINE, N90'00'00"E FOR 178.78 FEET TO THE POINT OF

BEGINNING.

CONTAINING 358 SQUARE FEET, MORE OR LESS.

BEARING BASIS: ASSUMED BEARING OF S00'00'00"E ALONG SEMINOLE BOULDEVARD.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED BELOW.

ABBREVIATIONS

P.O.B. - POINT OF BEGINNING R/W - RIGHT-OF-WAY O.R.B. - OFFICIAL RECORD BOOK D.B.- DEED BOOK € - CENTERLINE

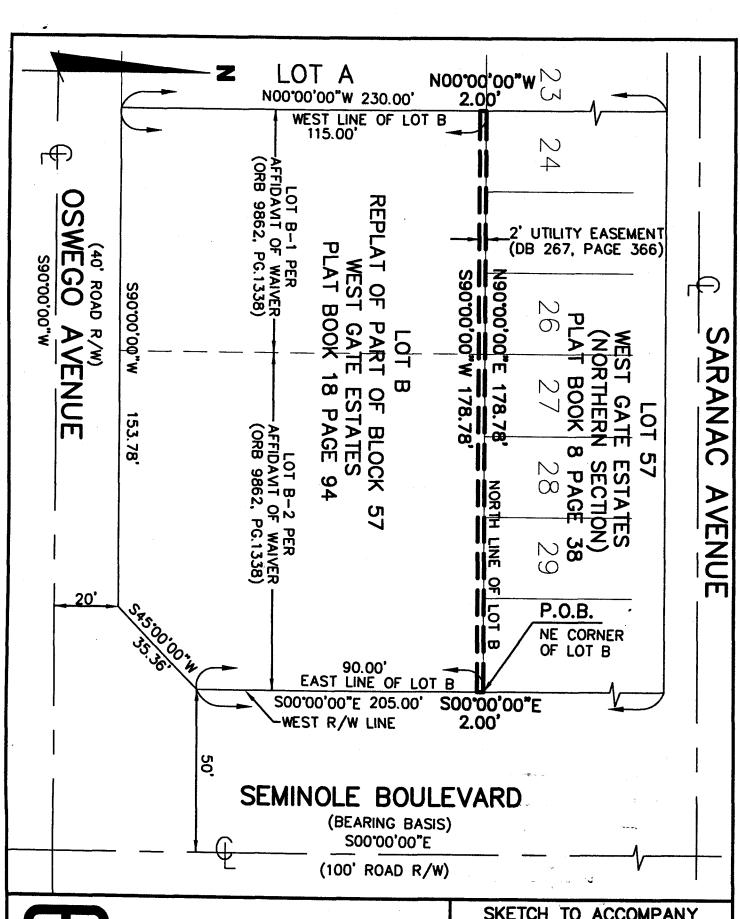
. Bru ANTHONY BROWN PROFESSIONAL LAND SURVEYOR STATE OF FLORIDA No. 4977 DATE: 4/2/10

BROWN PHILLIPS, INC.

SURVEYING **SERVICES** CERTIFICATE OF AUTHORIZATION # LB 6473 901 NORTHPOINT PKWY, SUITE 119, W.P.B. FLORIDA 33407 (561) 615-3988, (561) 615-3986 FAX

LEGAL DESCRIPTION

DRAWN: DKN	PROJ. No. 08-068
CHECKED: TB	SCALE: NONE
2' UTILITY EASEMENT	DATE: 4-12-10
TO RE ARANDONED	



BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES

PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 901 NORTHPOINT PKWY, SUITE 119, W.P.B. FLORIDA 33407 (561) 615-3988, (561) 615-3986 FAX

SKETCH TO ACCOMPANY LEGAL DESCRIPTION THIS IS NOT A SURVEY

DRAWN: DKN	PROJ. No. 08-068
	SCALE: 1"=30'
2' UTILITY EASEMENT	DATE: 4-12-10
TO RE ARANDONED	CHEET A AC A