

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

Meeting Date:	September 14, 2010	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

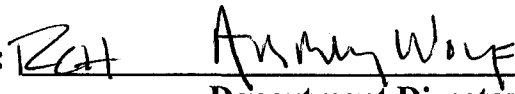
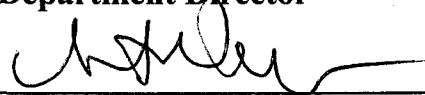
Motion and Title: Staff recommends motion to approve: a Unity of Title for County property located on Saranac Avenue and Seminole Boulevard in unincorporated West Palm Beach.

Summary: The County is finalizing the design plans for a new Fire Station on Seminole Boulevard between Saranac Avenue and Oswego Avenue in Westgate. Upon completion of the design, the project will be put on hold until funding becomes available for construction. In connection with this project, the County recently abandoned 379 feet of the 40' wide Saranac Avenue right-of-way which is located immediately west of Seminole Avenue. As a condition of approval for the abandonment, the County is required to record a Unity of Title to combine the subject 40' strip with two adjacent County parcels currently being used as a storm water retention lake. **(PREM) District 2 (HJF)**

Background and Justification: The Board approved the design contract for the new Fire Station on June 16, 2009 (R-2009-0988); however, the project has been put on hold due to budgetary constraints. This Unity of Title will combine the 40' strip and the two parcels used as a storm water retention lake, which thereafter shall be considered as one parcel of land.

Attachments:

1. Location Map
2. Unity of Title

Recommended By:		8/22/10
	Department Director	Date
Approved By:		9/1/10
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	0 * See below	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:	Yes _____	No _____			
Budget Account No:	Fund _____	Dept _____	Unit _____	Object _____	
	Program _____				

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

* No fiscal impact.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Jim Dorn
OFMB 8/31/10 8/30/10

Shirley J. Jaworski
Contract Development and Control 8/31/10

B. Legal Sufficiency:

H. J. Jul
Assistant County Attorney 9/1/10

C. Other Department Review:

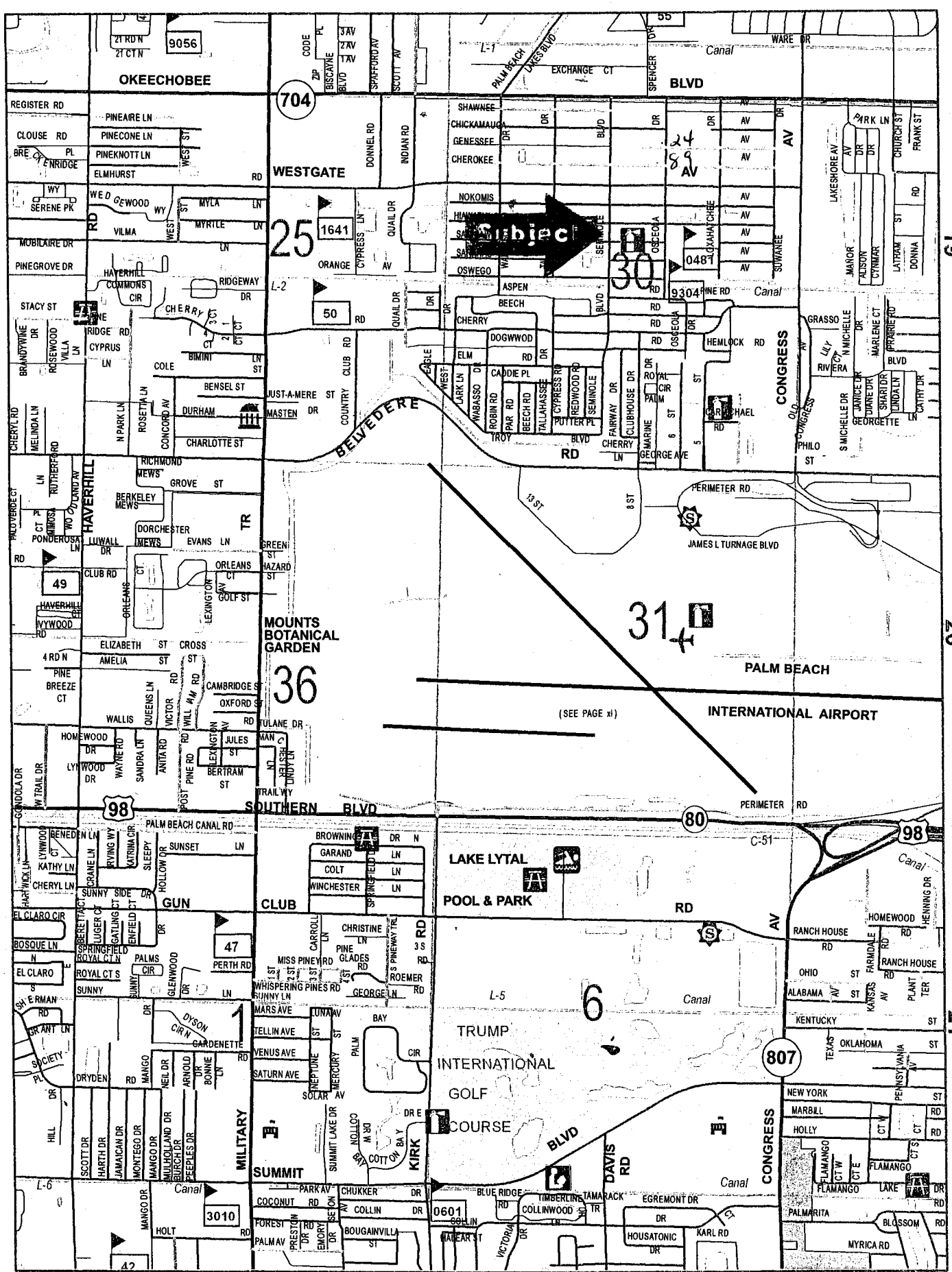
Department Director

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

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LOCATION MAP

ATTACHMENT # 1

Handwritten signature or initials.

Prepared by & Return to:
Margaret Jackson, Real Estate Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

PCN: 00-43-43-30-07-000-0060, 00-43-43-30-03-057-0160 and a portion of the abandoned 40' Right of Way of
Saranac Avenue

UNITY OF TITLE

In consideration of the site development by Palm Beach County, a political subdivision of the State of Florida, ("County"), and for other good and valuable consideration, the undersigned hereby agrees to restrict the use of the property as legally described in Exhibit "A" (the "County Property") attached hereto and made a part hereof in the following manner:

1. The County Property shall be considered as one plot and parcel of land, and no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their successors and assigns until such time as the same may be released in writing by the County.
3. The conveyance of any portion of the County Property for public right-of-way shall not be deemed to be a violation of this Unity of Title.
4. The undersigned further agrees that this instrument shall be recorded in the Public Records of Palm Beach County, Florida.

IN WITNESS WHEREOF, the County has caused this Unity of Title to be executed as of the day and year first above written.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

COUNTY:

PALM BEACH COUNTY, a political
subdivision of the State of Florida

By: _____
Burt Aaronson, Chair

APPROVED AS TO TERMS
AND CONDITIONS

By: Keith Armanly Wolf
Department Director

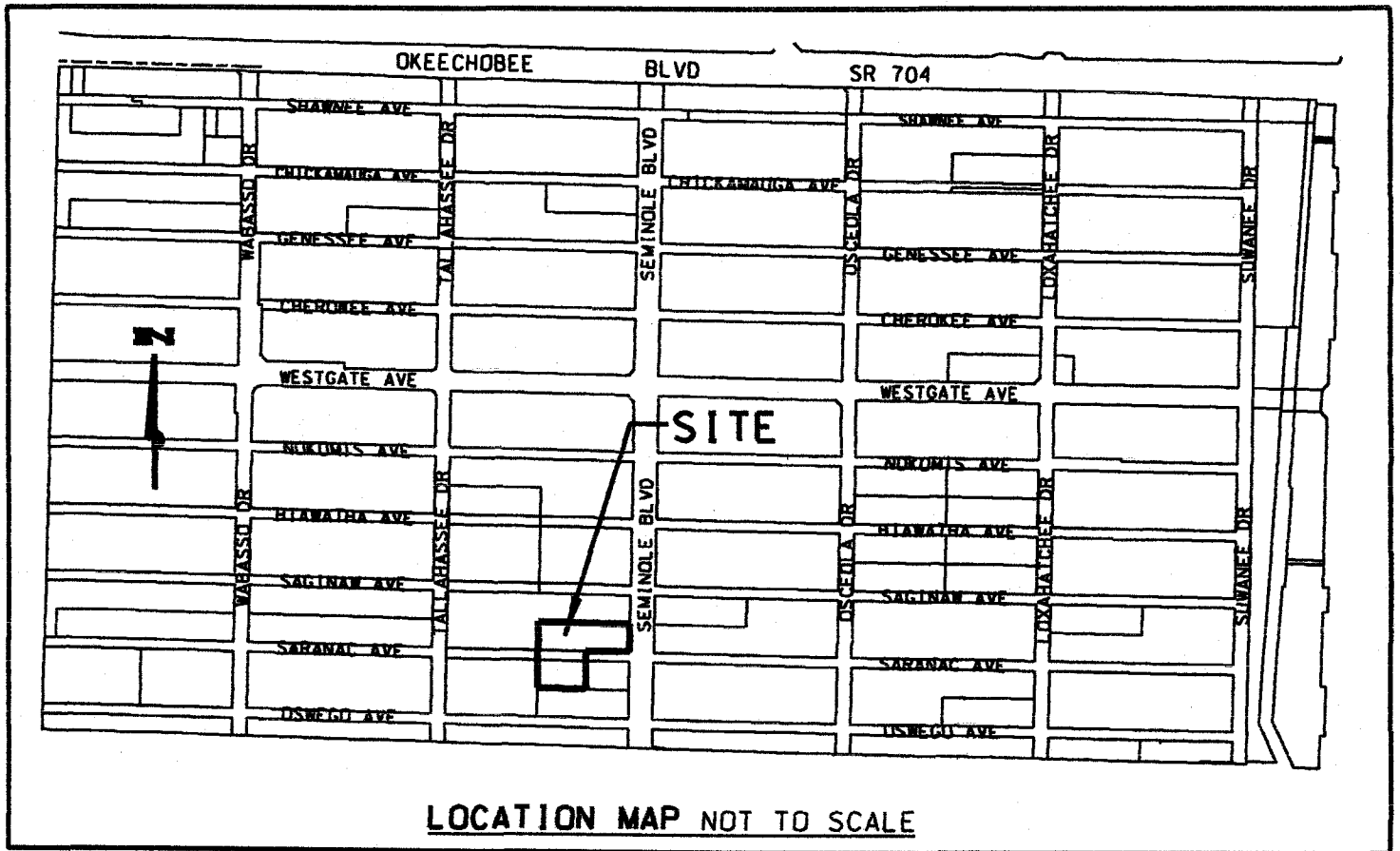


EXHIBIT "A"


A PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 16 THROUGH 23, BLOCK 57, WEST GATE ESTATES (NORTHERN SECTION), ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 8, PAGE 38, SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT "F", WEST GATE REALTY COMPANY'S REPLAT OF PART OF BLOCKS 11, 14, 15, 29, 41, 51, 52 AND 54 WEST GATE ESTATES ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 15, PAGE 66, AS RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LAND SITUATE, LYING AND BEING LOCATED IN PALM BEACH COUNTY, FLORIDA.

ALSO TOGETHER WITH:

PROJECT NO. 2010009-29	SHEET 1 OF 3	PROJECT: FIRE STATION # 24 WEST GATE UNITY OF TITLE		SCALE: 1" = 60' APPROVED: N.J.H. DRAWN: E.A.O. CHECKED: G.W.M. DATE: 7/22/10 FIELD BOOK NO.	NO.	REVISION	BY	DATE		PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
		DESIGN FILE NAME S-1-10-3134.DGN	DRAWING NO. S-1-10-3134							

THE WEST 200 FEET OF THE ABANDONED 40 FOOT RIGHT-OF-WAY OF SARANAC AVENUE, ACCORDING TO RESOLUTION NO. , AS RECORDED IN OFFICIAL RECORDS BOOK , PAGE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING THAT PORTION OF THE SARANAC AVENUE PER THE PLAT OF WEST GATE ESTATES (NORTHERN SECTION), AS RECORDED IN PLAT BOOK 8, PAGE 38, OF SAID PUBLIC RECORDS LYING BETWEEN BLOCK 57 OF SAID PLAT AND TRACT "F", WEST GATE REALTY COMPANY'S REPLAT OF PART OF BLOCKS 11, 14, 15, 29, 41, 51, 52 AND 54 WEST GATE ESTATES, AS RECORDED IN PLAT BOOK 15, PAGE 66, OF SAID PUBLIC RECORDS, BOUNDED ON THE EAST BY THE NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 23 OF SAID BLOCK 57; BOUNDED ON THE WEST BY THE NORTHERLY PROLONGATION OF THE WEST LINE OF LOT 16 OF SAID BLOCK 57 AND THE EAST LINE OF THE ABANDONED SARANAC AVENUE ACCORDING TO RESOLUTION NO. R-80-269 AS RECORDED IN OFFICIAL RECORDS BOOK 3250, PAGE 1567 OF SAID PUBLIC RECORDS.

PARCEL CONTAINS 74,560 SQUARE FEET OR 1.7117 ACRES MORE OR LESS.

SURVEYORS NOTES

BEARINGS ARE ASSUMED WITH A BEARING OF SOUTH 00°00'00" EAST ALONG THE WEST RIGHT OF WAY LINE OF SEMINOLE BOULEVARD (AS SHOWN ON THIS SURVEY) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THIS IS NOT A SURVEY

THIS INSTRUMENT PREPARED BY NORMAN J. HOWARD, P.S.M. IN THE OFFICE OF THE COUNTY ENGINEER, VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

N J Howard
NORMAN J. HOWARD, P.S.M.
FLORIDA CERTIFICATE #5776

7-23-2010
DATE

SAGINAW AVENUE
PB 8, PG 38


SCALE: 1" = 60'

WEST GATE ESTATES
PB 8, PG 38

WEST R/W LINE
PB 8, PG 38

WEST
GATE
ESTATES
PB 8,
PG 38

TRACT F
WEST GATE REALTY COMPANY'S
REPLAT OF PART OF BLOCKS
11, 14, 15, 29, 41, 51, 52 AND 54
WEST GATE ESTATES
PB 15, PG 66

PRM PER
PB 15, PG 66

N90°00'00"E 378.78'

270.00'
115.00'

S00°00'00"E
115.00'

S90°00'00"W 378.78'

ABANDONED
RES R-80-269
ORB 3250,
PG 1567

200.00'
WEST 200' OF ABANDONED
40' R/W OF SARANAC AVENUE
ABANDONED ORB , PG

178.78'
SARANAC AVENUE
PB 8, P 38
ABANDONED
ORB , PG

20' 20'

WEST
GATE
ESTATES
PB 8,
PG 38

N00°00'00"W
115.00'

16 17 18 19 20 21 22 23
N90°00'00"E 200.00'
BLOCK 57
WEST GATE ESTATES
(NORTHERN SECTION)
PB 8, PG 38
S90°00'00"W 200.00'

155.00'
S00°00'00"E

SEMINDLE BOULEVARD
PB 8, PG 38

LEGEND

ORB = OFFICIAL
RECORD BOOK
PRM = PERMANENT
REFERENCE
MONUMENT
R/W = RIGHT OF WAY
PB = PLAT BOOK
PG = PAGE

REPLAT OF PART OF BLOCK 57
WEST GATE ESTATES
PB 18, PG 94

OSWEGO AVENUE
PB 8, PG 38