

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

Meeting Date: August 16, 2011	<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

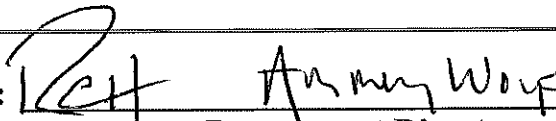
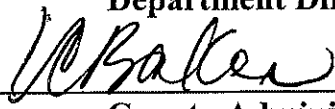
Motion and Title: Staff recommends motion to accept a Quit Claim Deed from the Lake Worth Drainage District (LWDD) conveying the platted roadway portion of the former L-9 Canal in Okeeheelee Park South in unincorporated Greenacres.

Summary: The 800-acre Okeeheelee Park South, located at 7500 Forest Hill Boulevard, between Pinehurst Drive and Florida's Turnpike in unincorporated Greenacres, was acquired from the State of Florida in 1996. In 1976, LWDD agreed to abandon and vacate any interest it had in the L-9 Canal and conveyed the land to the State of Florida as the abutting property owner and subsequently the State's property interests were conveyed to the County. However, the legal description for the abandonment did not include the platted roadway acquired by LWDD as part of the canal acquisition. The platted roadway is approximately 917 feet long and 30 feet wide and contains 25,565 square feet (0.59 acres). The Quit Claim Deed will clear the title to the abandoned roadway and benefit the development of the Park. LWDD is conveying the land to the County at no cost. (PREM) District 6 (HJF)

Background and Justification: Okeeheelee Park South was previously known as Cholee Park, Whispering Pines State Park, and Palm Beach Pines State Recreation Area. The 30-foot wide platted roadway lies between Tract 13 and Tract 20 in Block 21 of Palm Beach Farms Co. Plat No. 3. LWDD acquired the platted roadway as part of the L-9 Canal in 1967. The L-9 Canal located within the park, except for the platted roadway, was abandoned and conveyed to the State of Florida in 1976. The County acquired the abandoned L-9 Canal, except for the platted roadway, from the State of Florida in 1996.

Attachments:

1. Location Map
2. Quit Claim Deed

Recommended By:		8/2/11	
	Department Director	Date	
Approved By:		8/12/11	
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>* see below</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
Program _____

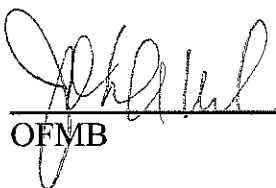
B. Recommended Sources of Funds/Summary of Fiscal Impact:

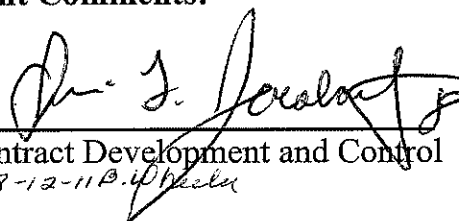
~~*~~ No fiscal impact.

C. Departmental Fiscal Review: _____

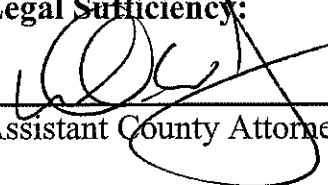
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 8/9/11
OFMB

 8/12/11
Contract Development and Control
8-12-11 B. J. [unclear]

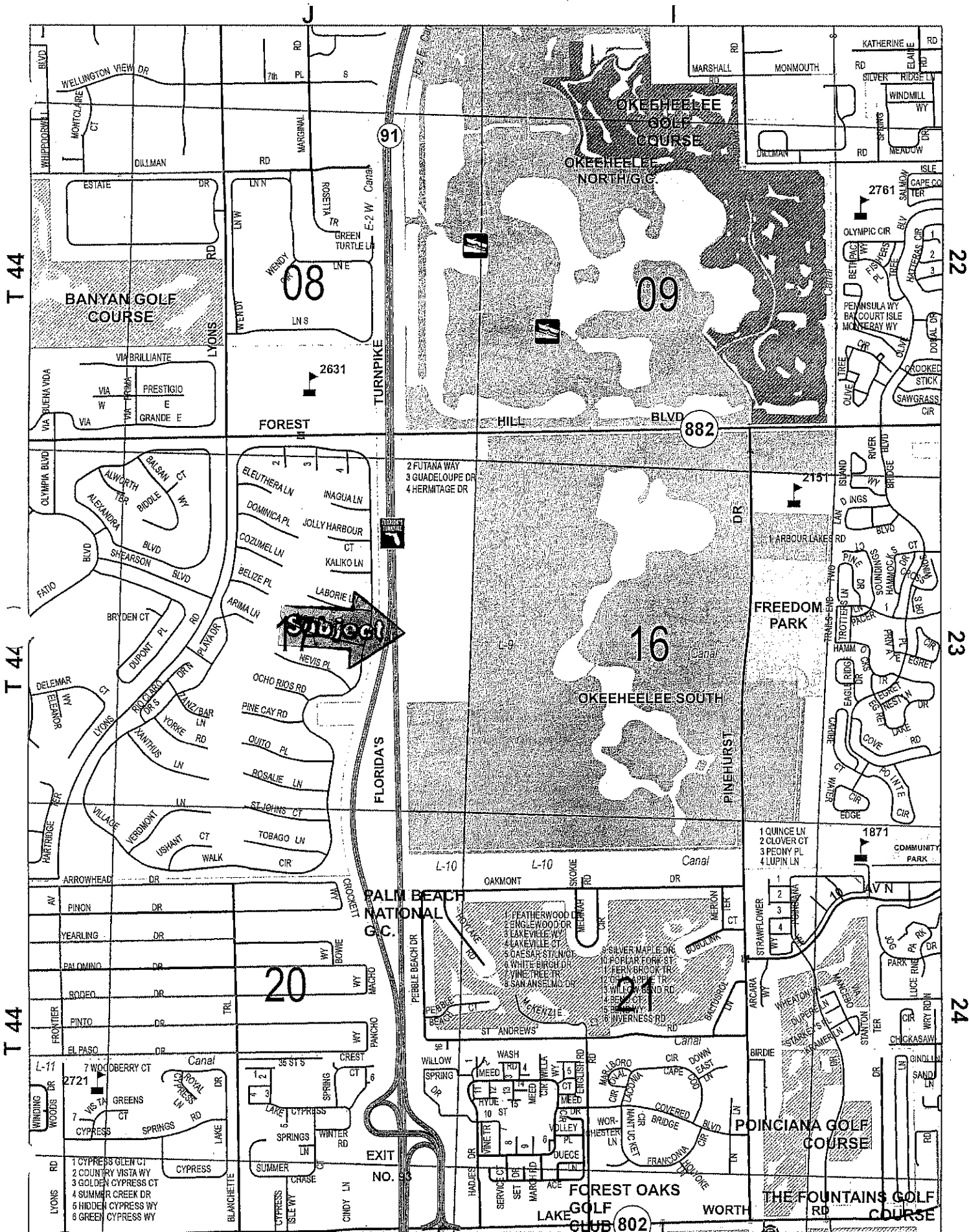
B. Legal Sufficiency:

 8/12/11
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION MAP

WILL CALL #166

RETURN TO:
LAKE WORTH DRAINAGE DISTRICT
13081 Military Trail
Delray Beach, FL 33484

PREPARED BY:
MARK A. PERRY, ESQ.
50 SE Fourth Avenue
Delray Beach, FL 33483

PCN a portion of 00-42-43-27-05-021-0040

Doc. No. 6102
Canal No. f/k/a L-9

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 25 day of April, 2011 by **LAKE WORTH DRAINAGE DISTRICT, a Special Taxing District**, existing under the Laws of the State of Florida, and having its principal place of business at 13081 Military Trail, Delray Beach, Florida 33484, First Party, to: **PALM BEACH COUNTY, a Political Subdivision of the State of Florida**, whose post office address is P.O. Box 21229, West Palm Beach, Florida 33416-1229, Second Party:

(Whenever used herein the term "First Party" and "Second Party" include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, whenever the context so admits or requires.)

WITNESSETH, That the said First Party, for an in consideration of the sum of Ten (\$10.00) Dollars in hand paid by the said Second Party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said Second Party all the right, title, interest, and demand which the said First Party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Palm Beach, State of Florida, to-wit:

EXHIBIT "A" ATTACHED HERETO AND MADE PART HEREOF

TO HAVE and to HOLD the same together with all and singular the appurtenances thereunto belonging or anyway appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said First Party, either in law or equity, to the only proper use, benefit and behoof of the said Second Party forever.

WILL CALL #166

IN WITNESS WHEREOF the said First Party has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed by its proper officers thereunto duly authorized, the day and year first above written.

WITNESSES:

LAKE WORTH DRAINAGE DISTRICT
a special taxing district

Megan Hanney
(1) Witness Signature
Megan Hanney
Printed Name of Witness

Nicole Smith
(2) Witness Signature
Nicole Smith
Printed Name of Witness

BY: C. David Goodlett
C. David Goodlett, President

Attest: Ronald L. Crone
Ronald L. Crone, Secretary 4/20/11
DAB 4/20/11

[SEAL]

13081 Military Trail
Delray Beach, FL 33484-1105

STATE OF FLORIDA :
COUNTY OF PALM BEACH :

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared C. DAVID GOODLETT and RONALD L. CRONE, the President and Secretary respectively, of the LAKE WORTH DRAINAGE DISTRICT, both of whom acknowledged executing the foregoing instrument and both of whom are known to me, and did not take an oath.

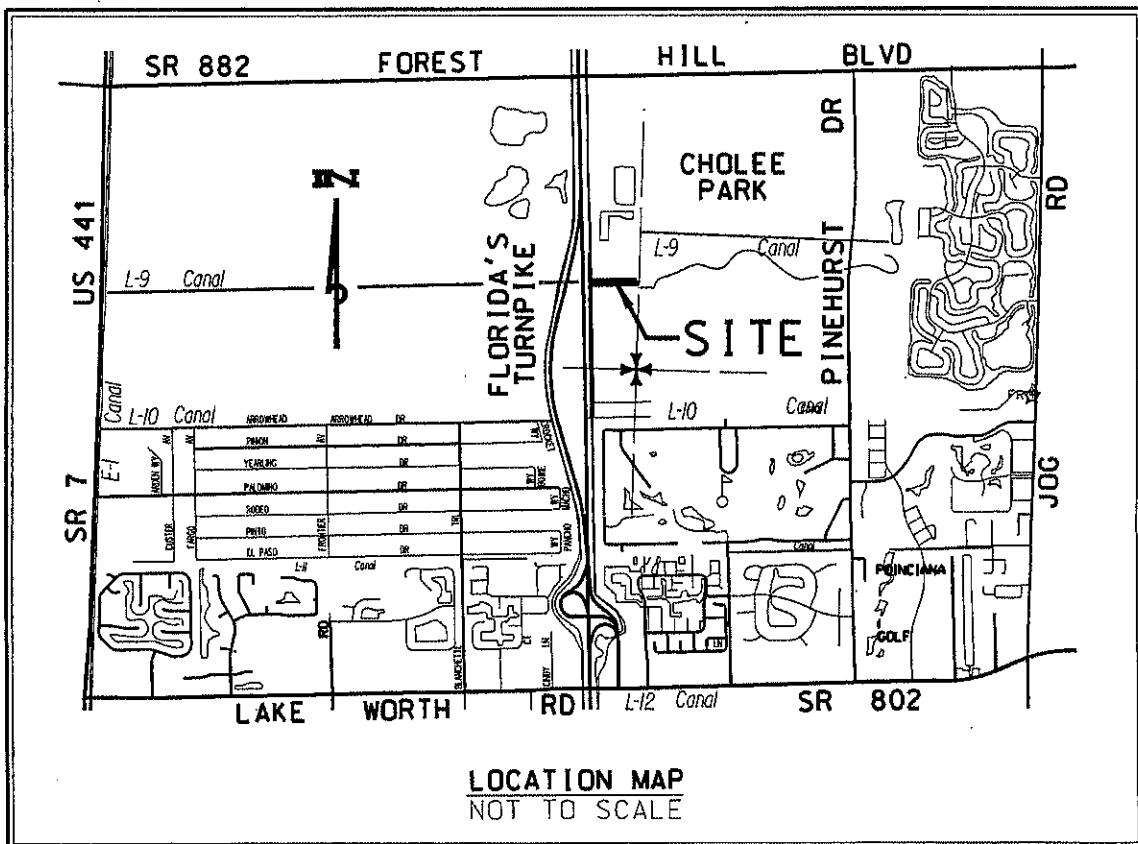
WITNESS my hand and official seal in the County and State last aforesaid this the 25 day of April, 2011

Joann M. Aylor
NOTARY PUBLIC



Notary Stamp or Seal

EXHIBIT "A"




LEGAL DESCRIPTION

ALL THAT PORTION OF THE 30 FOOT RIGHT OF WAY LYING IN BLOCK 21,
PALM BEACH FARMS COMPANY PLAT NO. 3, PLAT BOOK 2, PAGES 45-54,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SITUATED IN SECTION
17, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT CERTAIN 30 FOOT RIGHT OF WAY LYING BETWEEN TRACT 13 AND TRACT 20, SAID BLOCK 21.

LESS THE WEST 65.00 FEET

RIGHT OF WAY CONTAINS 25,565 SQUARE FEET MORE OR LESS.

PROJECT NO. 2010009-35	SHEET 1	DATE 05/13	PROJECT: 30' R/W LYING BETWEEN TRACTS 13 & 21, BLOCK 21, PALM BEACH FARMS COMPANY, PLAT NO. 3		DATE 09/14/10	SCALE: 1" = 200'	APPROVED: N.J.H. DRAWN: E.A.O. CHECKED: G.W.M.	FIELD BOOK NO. N/A	NO. 1	REVISION L.W.D.D. COMMENTS	BY N.H.	DATE 3/29/11	 <p>PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ENGINEERING SERVICES 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411</p>
			DESIGN FILE NAME S-1-10-3144.DGN	DRAWING NO. S-1-10-3144									

LWDD - DAB/NAS 4/18/11

11-9064 P.01

EXHIBIT "A"

SURVEYORS NOTES

THIS DOCUMENT IS TO CORRECT AN ERRONEOUS BLOCK NUMBER IN THE ABANDONMENT RECORDED IN OFFICIAL RECORD BOOK 2068, PAGE 689 SAID PUBLIC RECORDS.

MEASURED DIMENSIONS ARE FROM PALM BEACH COUNTY DRAWING NO. 4-75-312B ON FILE IN THE OFFICE OF THE COUNTY ENGINEER.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTED) BEARING OF NORTH 01°52'03" EAST ALONG THE EAST LINE OF SECTION 17, TOWNSHIP 44 SOUTH, RANGE 42 EAST (AS SHOWN ON THIS SKETCH) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

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. Howard

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

3-29-2011

DATE

EXHIBIT "A"

R/W = RIGHT OF WAY
PBC = PALM BEACH COUNTY
(C) = CALCULATED
(M) = MEASURED
(P) = PLAT
WDD = LAKE WORTH
DRAINAGE
DISTRICT

