

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 19, 2012

☒ Consent ☐ Regular
☐ Workshop ☐ Public Hearing

Department:

Submitted By: Engineering and Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution releasing a reservation over a portion of the established alignment for Haverhill Road from Le Chalet Boulevard to Hypoluxo Road.

SUMMARY: Adoption of this Resolution will release a portion of the established alignment reservation for Haverhill Road from Le Chalet Boulevard to Hypoluxo Road.

District 3 (MRE)

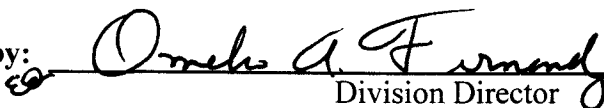
Background and Justification: On February 20, 1990, the Board of County Commissioners (Board) adopted Resolution R-90-287, establishing the precise alignment reservation for Haverhill Road from Le Chalet Boulevard to Hypoluxo Road. This resolution was recorded in Official Record Book 6370, Page 1333. Toll FL VIII Limited Partnership (Toll) owned property on which a portion of the alignment reservation was established, namely, Tracts 13 through 16 of the unrecorded plat of Hypoluxo Farms (Property) which is located between Clock Road and Hypoluxo Road, east of Hypoluxo Farms Road, approximately one half mile west of Military Trail.

On May 11, 2009, Toll conveyed to Palm Beach County, by warranty deed, an alternate alignment as right-of-way for Haverhill Road on a portion of the Property. This conveyance of right-of-way was accepted by the Board in August of 2009, and was recorded in Official Record Book 23411, Page 1202. The current owner of the Property, GH Abell Estates, LLC, is preparing to record the plat of Vista Lago and has requested that the replaced portion of the original alignment reservation established in 1990 be released. The Engineering Department has reviewed this request and has no objections to releasing the requested portion of the alignment reservation. The adoption of this resolution releasing a portion of the established 1990 alignment reservation of Haverhill Road from Le Chalet Boulevard to Hypoluxo Road is in the best interest of the County.

Attachments:

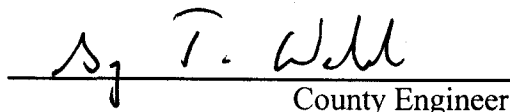
1. Location Map
2. Request from the property owner
3. Resolution with Exhibit "A"

Recommended by:


Division Director

5/10/12
Date

Approved by:


County Engineer

5/21/12
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
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-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No

Budget Acct No.: Fund _____ Dept. _____ Unit _____ Object _____
Program

Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact.

C. Departmental Fiscal Review:

Alicia Kovalainen

III. REVIEW COMMENTS

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

N. Diaz 5/23/2012
OFMB
5/23/12 5/22/12 5/22/12
cc [signature]

Dr. J. Jacobson 5/25/12
Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

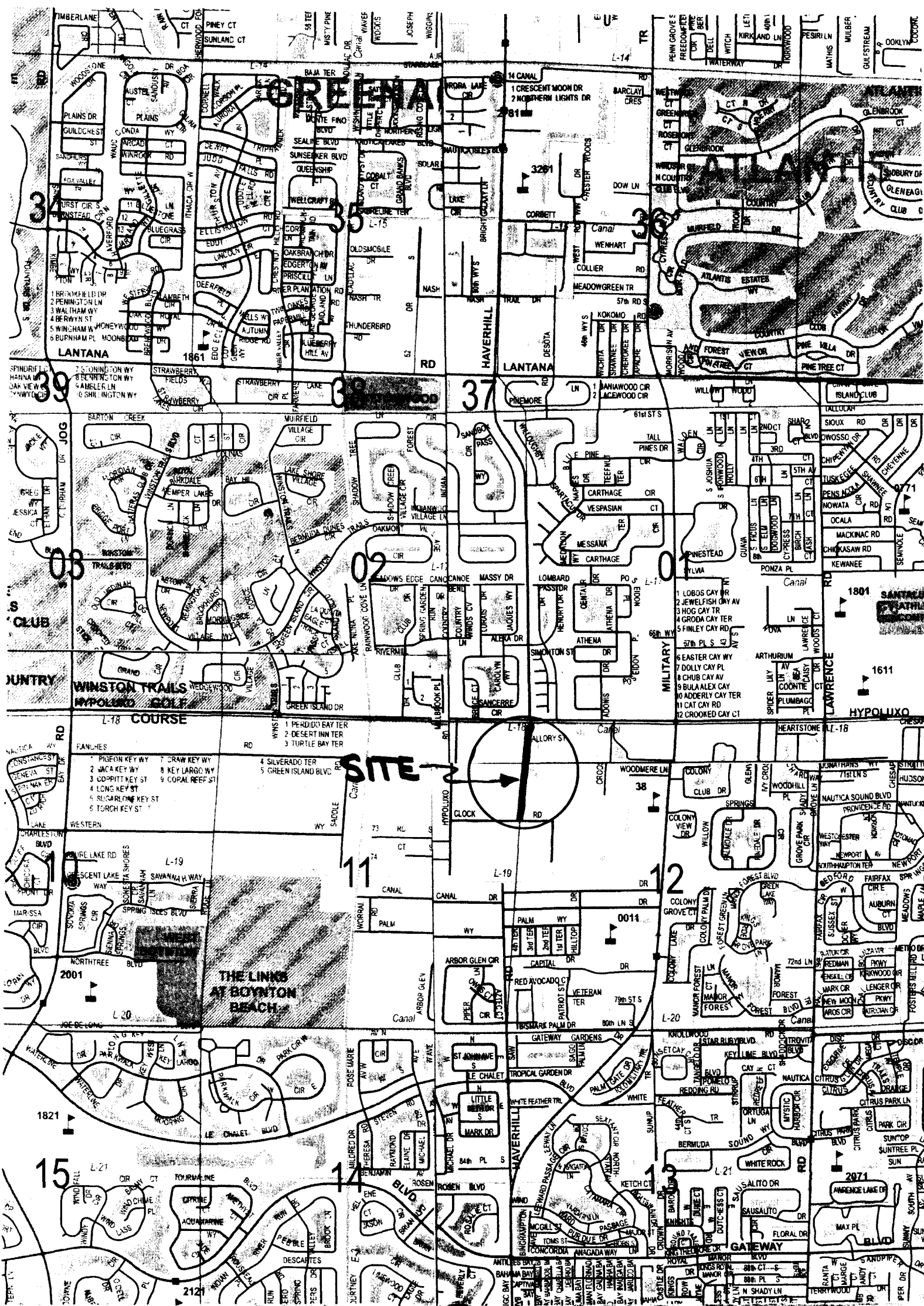
Marlene R. Pitts 5/29/12
Assistant County Attorney

C. Other Department Review:

Department Director

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

LOCATION MAP



ATTACHMENT 2
REQUEST FROM PROPERTY
OWNER

REC'D APR 13 2012



CAULFIELD & WHEELER, INC.
Consulting Engineers • Surveyors & Mappers

Engineering EB0003591
Surveying LB0003591
Landscape Architecture LC0000318

April 12, 2012

Via Access Courier

Mr. Morton Rose, P.E.
Right-of-Way Manager
Right-of-Way Acquisition Section
Palm Beach County
2300 North Jog Road
West Palm Beach, Florida 33411
(561)684-4185

Re: **Vista Lago**
Job #4860

Dear Mr. Rose:

I am presently awaiting Technical Compliance for the Vista Lago Project, which the new alignment for Haverhill Road bisects from Hypoluxo Road to Clock Road. The new alignment was recorded in Official Record Book 23411, Pages 1202 through 1208. There is an old Alignment Corridor Reservation recorded in Official Record Book 6370, Page 1333 that currently appears to be remaining on what we will be platting as lots. Can you please verify if this had been previously addressed upon the approval of the new right-of-way map that was prepared for this area or provide a way to address its release and the timing? The timing is critical as we would like to record the plat in June of this year.

I have included our proposed plat and existing survey for your use in reviewing the matter.

Sincerely,
Caulfield & Wheeler, Inc.

David P. Lindley, PLS
Vice President

DPL:jd

Cc: Stefan Hoyer
Karl Albertson
Rich MacFarland

RESOLUTION NO. R-2012-

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA
RELEASING A RESERVATION OVER A PORTION OF
THE ESTABLISHED ALIGNMENT FOR HAVERHILL
ROAD FROM LE CHALET BOULEVARD TO HYPOLUXO
ROAD.**

WHEREAS, in 1990, Palm Beach County adopted Resolution R-90-287, establishing the precise alignment reservation for Haverhill Road from Le Chalet Boulevard to Hypoluxo Road; and,

WHEREAS, Resolution R-90-287 was recorded in Official Record Book 6370, Page 1333; and,

WHEREAS, Toll FL VIII Limited Partnership (Toll) owned the property on which a portion of the alignment reservation was established, namely, Tracts 13 through 16 of the unrecorded plat of Hypoluxo Farms, located between Clock Road and Hypoluxo Road, east of Hypoluxo Farms Road, approximately one half mile west of Military Trail; and,

WHEREAS, in 2009, Toll conveyed to Palm Beach County, by warranty deed, an alternate alignment as right-of-way for Haverhill Road on a portion of their property, which was recorded in Official Record Book 23411, Page 1202; and,

WHEREAS, the current owner of the property, GH Abell Estates, LLC, is preparing to record the plat of Vista Lago and has requested that a portion of the original alignment established in 1990 be released; and,

WHEREAS, the Engineering Department has reviewed this request and has no objections to releasing the requested alignment reservation less the portion of the right-of-way recorded in Official Record Book 23411, Page 1202; and,

WHEREAS, the adoption of this Resolution is in the best interest of Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

This Board adopts and ratifies those matters set forth in the foregoing recitals.

BE IT FURTHER RESOLVED that portion of the precise alignment reservation for Haverhill Road from Le Chalet Boulevard to Hypoluxo Road lying within Tracts 13 through 16 of the unrecorded plat of Hypoluxo Farms less the portion of right-of-way recorded in Official Record Book 23411, Page 1202 as shown in the attached Exhibit "A" is to be released.

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 Shelley Vana, Chair	_____
Commissioner Steven L. Abrams, Vice Chairman	_____
Commissioner Karen T. Marcus	_____
Commissioner Paulette Burdick	_____
Commissioner Burt Aaronson	_____
Commissioner Jess R. Santamaria	_____
Commissioner Priscilla A. Taylor	_____

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2012.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY,
FLORIDA, BY ITS BOARD OF
COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

BY: _____
County Attorney

BY: _____
Deputy Clerk

EXHIBIT "A"

DESCRIPTION:

A PORTION OF THAT HAVERHILL ROAD ALIGNMENT CORRIDOR RESERVATION RECORDED IN OFFICIAL RECORD BOOK 6370, PAGE 1333 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN TRACTS 12 THROUGH 16 AS SHOWN ON THE UNRECORDED PLAT OF "HYPOLUXO FARMS" LOCATED IN PALM BEACH COUNTY, FLORIDA AND A PORTION OF SOUTH HAVERHILL ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 23411 AT PAGES 1202 THROUGH 1208 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 04°29'07" WEST ALONG THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 56.10 FEET TO A POINT ON THE NORTH LINE OF LAKE WORTH DRAINAGE CANAL L-18 EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 20690 AT PAGE 70 OF SAID PUBLIC RECORDS; THENCE NORTH 89°00'25" WEST ALONG SAID NORTH LINE, A DISTANCE OF 201.57 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 89°00'25" WEST ALONG SAID NORTH LINE, A DISTANCE OF 81.00 FEET TO A POINT ON THE WESTERLY LINE HAVERHILL ROAD ALIGNMENT CORRIDOR RESERVATION AS RECORDED IN OFFICIAL RECORDS BOOK 6370 AT PAGE 1333 AND ROAD PLAT BOOK 7 AT PAGE 39 OF SAID PUBLIC RECORDS; THENCE SOUTH 10°00'07" WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 1373.77 FEET TO A POINT OF CURVATURE OF A 2904.79 FOOT RADIUS CURVE CONCAVE TO THE EAST; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 05°13'10" AN ARC DISTANCE OF 264.62 FEET TO A POINT OF NON-TANGENCY, SAID POINT ALSO LYING ON THE NORTH RIGHT OF WAY LINE OF CLOCK ROAD AS RECORDED IN DEED BOOK 1057 AT PAGE 225 OF SAID PUBLIC RECORDS; THENCE SOUTH 89°23'17" EAST ALONG SAID NORTH LINE, A DISTANCE OF 80.22 FEET TO A POINT ON THE EASTERLY LINE OF SAID HAVERHILL ROAD ALIGNMENT CORRIDOR RESERVATION, SAID POINT ALSO BEING A POINT ON A 2824.79 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE EAST WHOSE RADIUS POINT BEARS SOUTH 85°05'57" EAST; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 05°06'04" AN ARC DISTANCE OF 251.50 FEET TO A POINT OF TANGENCY; THENCE NORTH 10°00'07" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 1386.45 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 131,054 SQUARE FEET (3.0086 ACRES) MORE OR LESS.
SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

NOTES:

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- 2. LANDS SHOWN HEREON WERE ABSTRACTED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FAST FILE NUMBER 2037-2708424, DATED MARCH 13, 2012 8:00 AM., REVISED APRIL 10, 2012 8:00 AM.
- 3. BEARINGS SHOWN HEREON ARE RELATIVE TO A BEARING OF SOUTH 04°29'07" WEST ALONG THE EAST LINE OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.
- 4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
- 5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

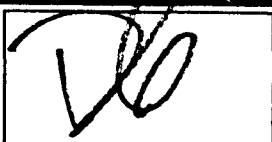
CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON APRIL 24, 2012. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN SECTION No. 5J-17.052 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 3



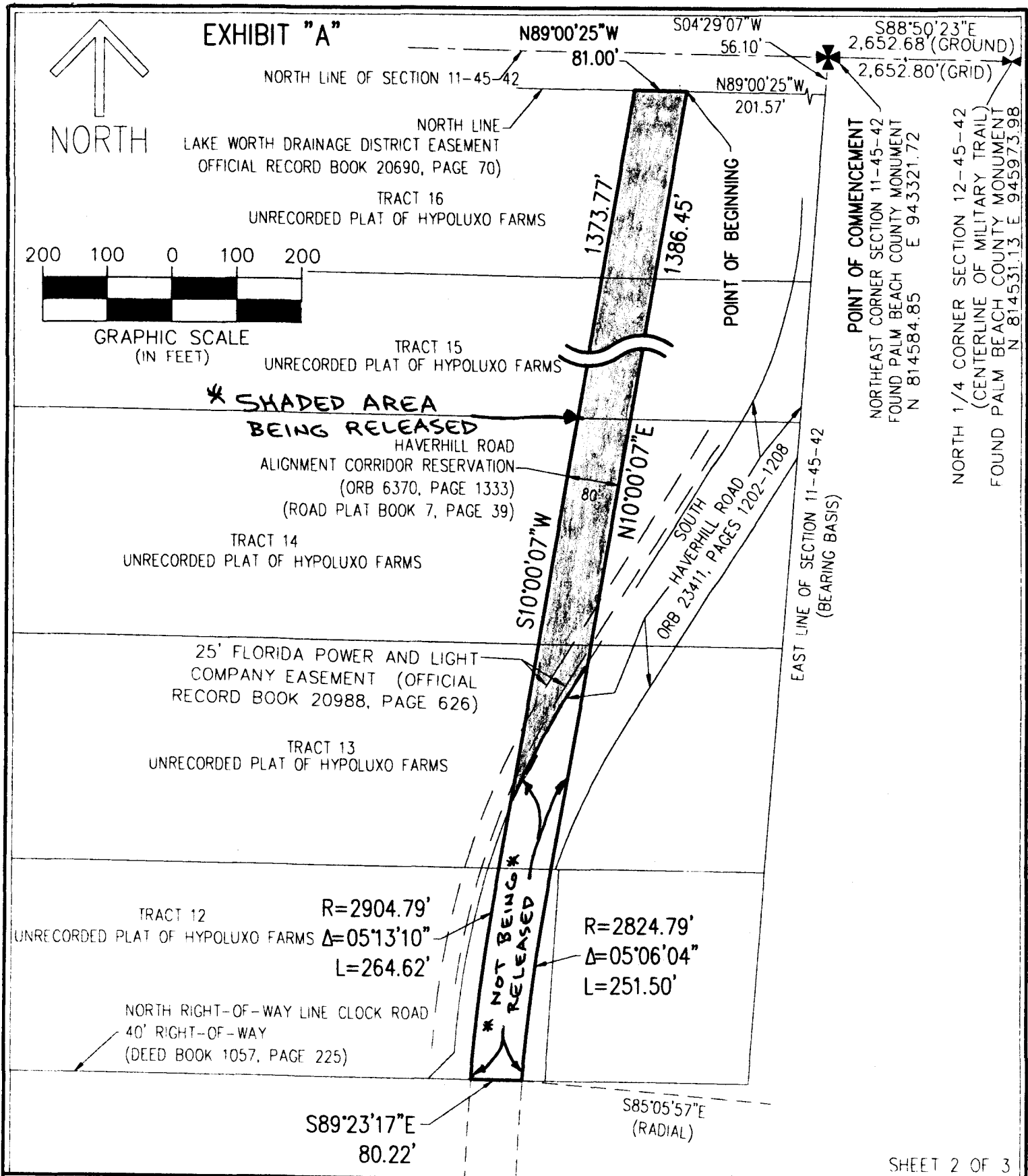
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7301A W. PALMETTO PARK ROAD - SUITE 100A
BOCA RATON, FLORIDA 33433
PHONE (561)-392-1991 / FAX (561)-750-1452



DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	4/24/12
DRAWN BY	APZ
F.B./ PG.	N/A
SCALE	1"=200'
JOB NO.	4860REL

SKETCH OF DESCRIPTION
HAVERHILL ROAD RELEASE



SHEET 2 OF 3



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EXHIBIT "A"

NOTES
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000341
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM, NAD 83 1990
ADJUSTMENT, FLORIDA EAST ZONE.

SHEET 3 OF 3



CAULFIELD & WHEELER, INC.
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