Agenda Item #: **3-C-3**

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: Augu	ıst 13, 2013	[X]	Consent Workshop	[]	Regular Public Hearing
Department: Submitted By: Submitted For:	Engineering & Public Works Department Roadway Production Division				

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution to approve recordation and filing of a Specific Purpose Survey Maintenance Map with the Clerk of the Circuit Court (Clerk) of and for Palm Beach County (County) Florida certifying that a portion of Hairland Drive in Section 12, Township 44 South, Range 42 East, has been maintained or repaired, continuously and uninterrupted, by the County for over four years and all rights, title, easement appurtenances in and to the road are therefore vested in the County.

SUMMARY: Adoption of this Resolution will establish and confirm title of Hairland Drive in Section 12, Township 44 South, Range 42 East, to the County in accordance with Section 95.361, Florida Statutes, which provides that upon four years of continuous and uninterrupted maintenance or repair of the road by the County and upon filing of a map with the Clerk, the title to the road becomes vested in the County for the extent in width that has been actually maintained. The Road and Bridge Division director has certified, on the cover of the Hairland Drive Specific Purpose Survey Maintenance Map, that it depicts the limits of maintenance by the County.

District 2 (MRE)

Background and Justification: Hairland Drive is a Municipal Service Taxing Unit street improvement project currently under design. The road has been continuously courtesy maintained for four years. A Maintenance Map needs to be filed for the reverse curve area shown on the attached survey drawing (Maintenance Map). The traveled way and maintained roadway curves are outside the recorded right-of-way. The limits of maintenance have been established by the Road and Bridge Division and Survey Section. After reviewing the attached Specific Purpose Survey Maintenance Map and finding it in proper order, staff recommends approval.

Attachments:

- 1. Location Map
- 2. Resolution
- 3. Maintenance Map

Recommended by:	Omelio G.F	umanle 6/19/13 Juli
	Division Director	d Date
Approved by:	Sg J. WM County Engineer	 Date
dk	· · · ·	

. . . .

F:\ROADWAY\AGENDA ITEMS\2013\8_13\2013130_Hairland Dr Maintenance Map_3-C-3.docx

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	<u>\$0-</u>		-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-
NET FISCAL IMPACT	-* <u>s -0-</u>	0	0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes x No

Budget Acct No.: Fund___ Dept.___ Unit__ Object Program

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

*This item has no additional fiscal impact. The County has been maintaining this section of roadway and will continue to do so.

C. Departmental Fiscal Review: ______

III. REVIEW COMMENTS

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

OFMB

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

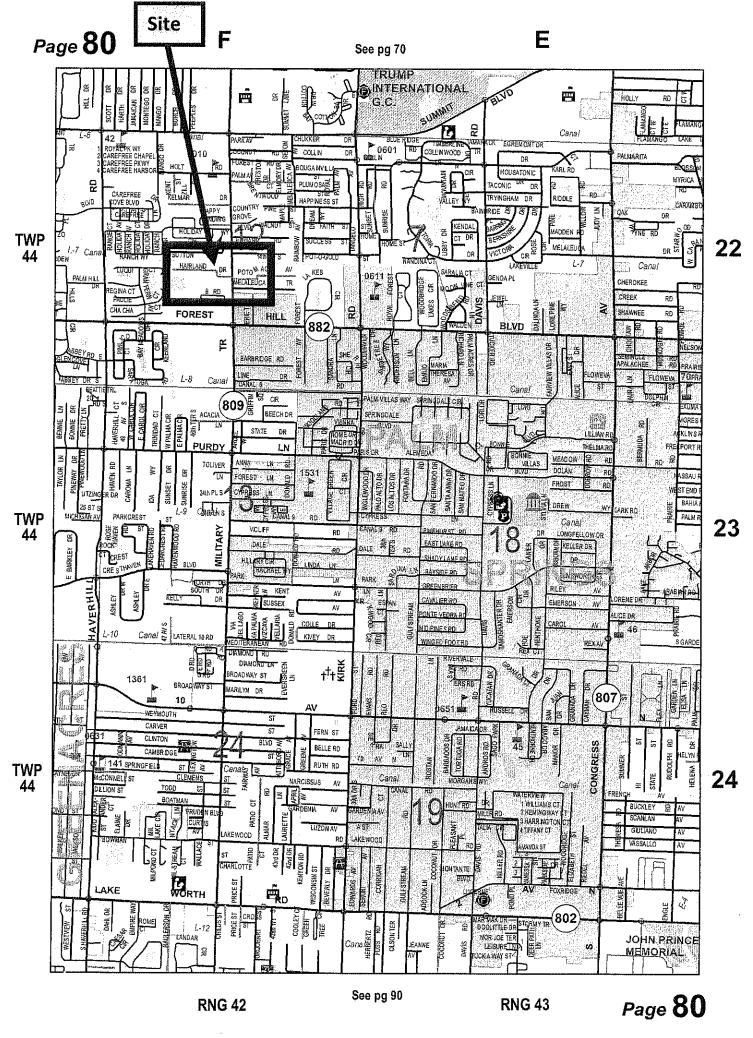
Department Director

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

F:\ROADWAY\AGENDA ITEMS\2013\8_13\2013130_Hairland Dr Maintenance Map_3-C-3.docx

Contract Dev. and Control

Hairland Drive Palm Beach County Project No. 2013130



Location Map

RESOLUTION NO. R-2013

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO APPROVE THE RECORDATION/FILING OF A MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY, FOR HAIRLAND DRIVE, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, WITH THE CLERK OF THE CIRCUIT COURT OF AND FOR PALM BEACH COUNTY, FLORIDA

WHEREAS, Hairland Drive, Maintenance Map – Specific Purpose Survey has been submitted to the Board of County Commissioners for approval for filing for records; and

WHEREAS, the Road and Bridge Division Director has certified that Palm Beach County has maintained this area of Hairland Drive for four (4) years, as required by Florida Statute 95.361.

WHEREAS, Florida Statute 95.361 Roads presumed to be dedicated, states that when a road constructed by the County, has been maintained or repaired continuously and uninterruptedly for four (4) years by the County, the road shall be deemed to be dedicated to the public to the extent in width that has been actually maintained. The dedication shall vest all right, title, easement and appurtenances in and to the road in the County; and

WHEREAS, the Maintenance Map, shall be filed at the office of the clerk of the circuit court of the County where the road is located. The Maintenance Map shall recite on it that the road is vested in the County and shall be duly certified by the Mayor and Clerk of the Board of County Commissioners of the County. Said filing shall be prima facie evidence of ownership by the County.

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 Mayor of the Board and the County Engineer are hereby authorized to sign the Specific Purpose Survey (Maintenance Map) and the Clerk is authorized to sign same.

RESOLUTION NO. R-2013

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 Steven L. Abrams, Mayor	-
Commissioner Priscilla A. Taylor, Vice Mayor	-
Commissioner Hal R. Valeche	-
Commissioner Paulette Burdick	-
Commissioner Shelley Vana	-
Commissioner Mary Lou Berger	
Commissioner Jess R. Santamaria	-

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 20____.

SHARON R. BOCK, CLERK AND COMPTROLLER

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By:

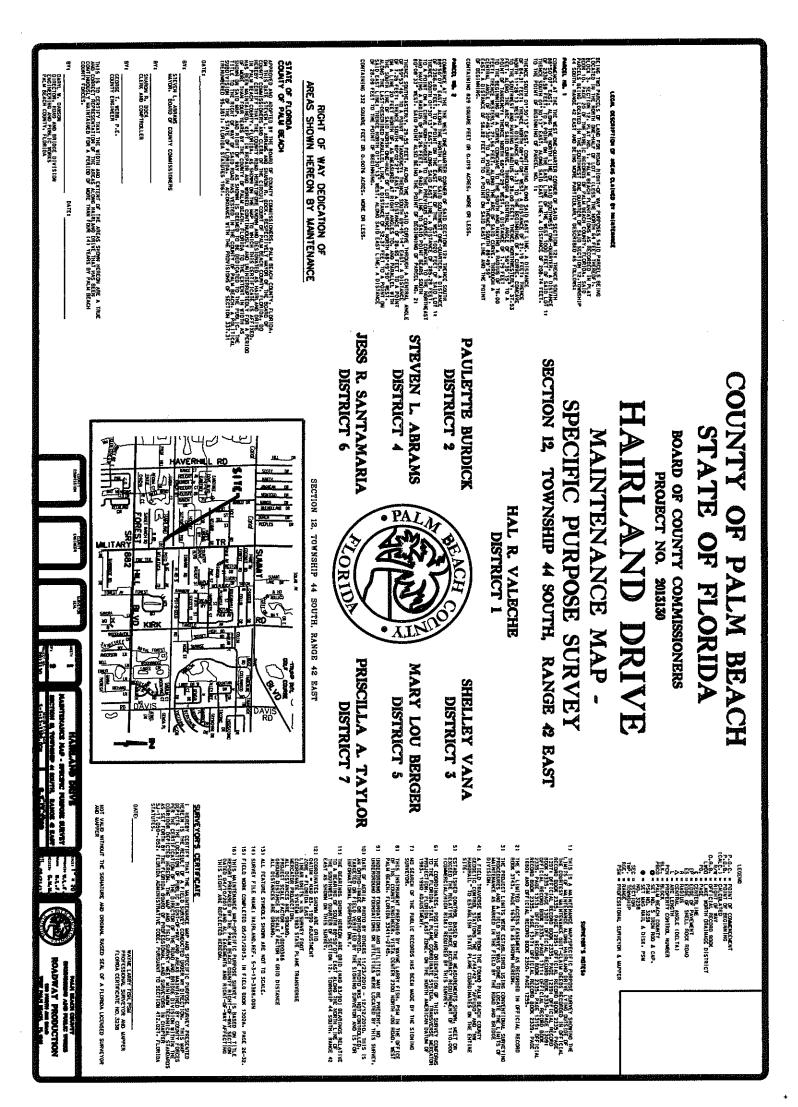
Deputy Clerk

By:___

County Attorney

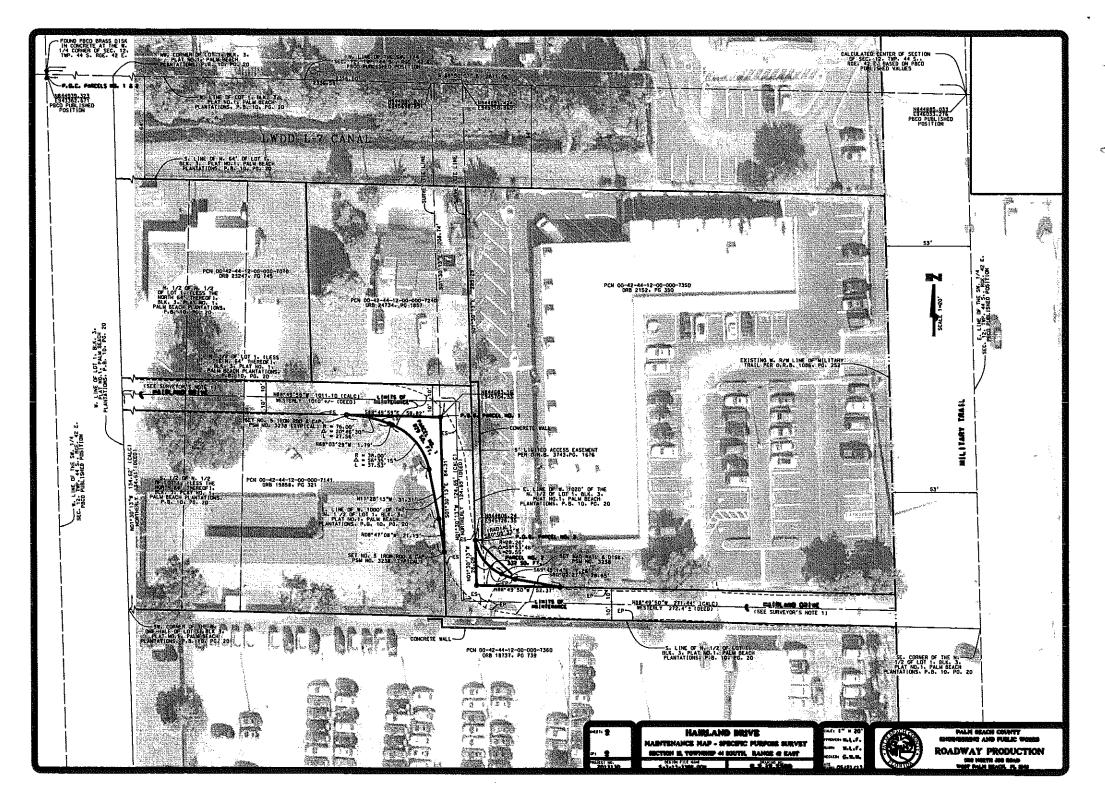
N:\R_O_W\Dave\Hairiand Dr\2000905 AIS Maint. Map Res..doc

Attachment 3



PAGE 1 of 2

ATTHCHMENT 3



PHAE 242