

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

Meeting Date: February 4, 2014

Consent
 Workshop

Regular
 Public Hearing

Department:

Submitted By: Engineering and Public Works
Submitted For: Land Development Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution to vacate a portion of a utility easement recorded in Official Record Book 5490, Page 1052, being a portion of Parcel A, Polo Club Shops replat, according to the plat thereof, as recorded in Plat Book 113, Pages 151 and 152, both being of the Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of this Resolution will allow the petitioner, G & I VII Polo Club LLC, to vacate a portion of a utility easement to allow for redevelopment of the site. The petition site is located west of Military Trail and north of Old Clint Moore Road.

District 5 (MRE)

Background and Justification: The owner, G & I VII Polo Club LLC, is in the process of site plan approval. The portion of this easement is in conflict with the site development plan and is proposed to be vacated.

Reviewing agencies and utility service providers have no objection to the vacation as replacement easements will be provided if and where necessary with the replat of the property.

Easements are exempt from the privilege fee requirement as provided in Palm Beach County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance 2002-034).

Attachments:

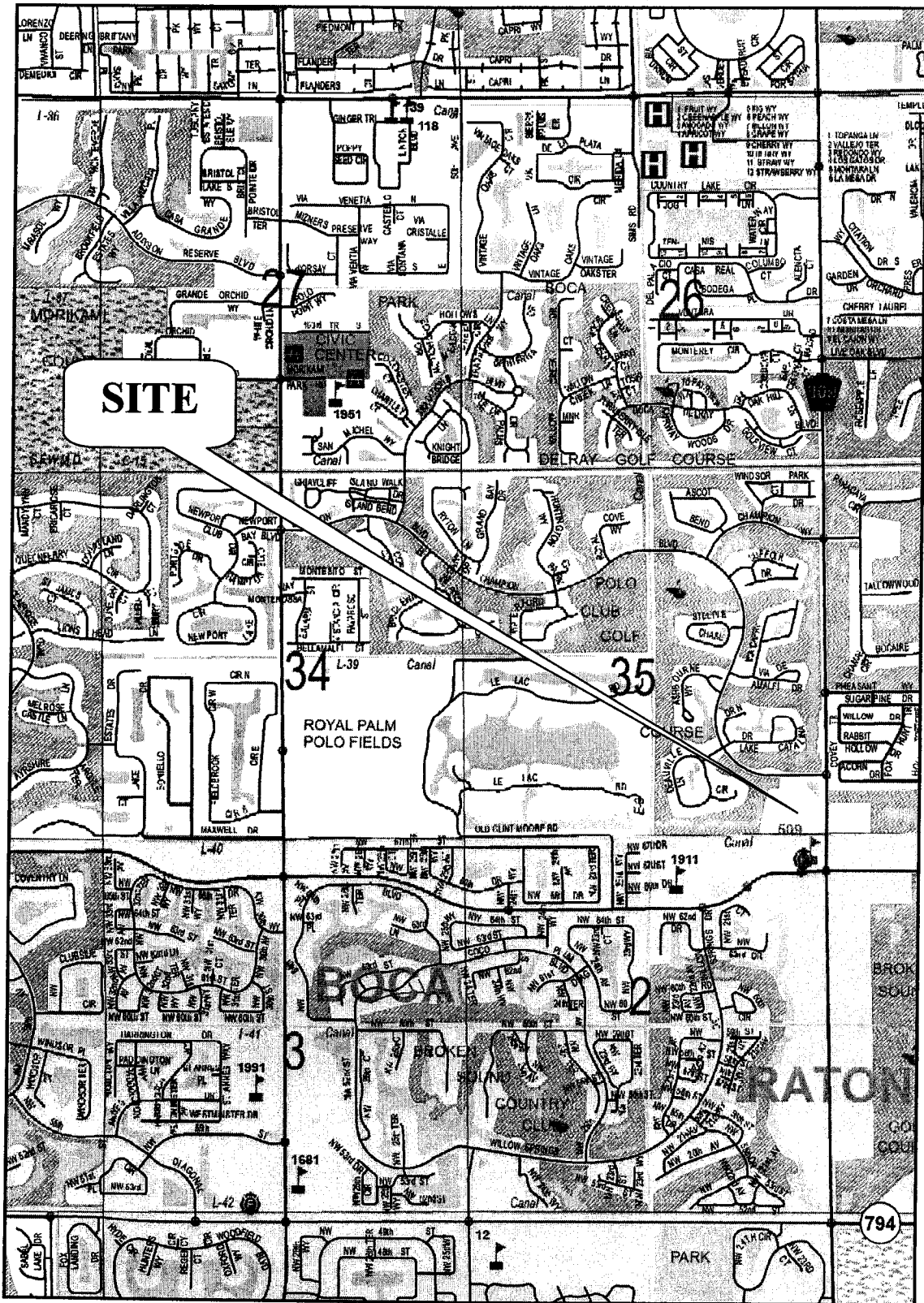
- 1. Location Sketch
- 2. Resolution with Legal Description and Sketch

Recommended by: Joannell Keller
Division Director

01/07/2014
Date

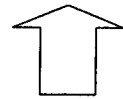
Approved by: Sybil Wald
County Engineer

1/13/14
Date



LOCATION SKETCH

ABANDONMENT OF PLAT OF UTILITY EASEMENT WITHIN
POLO CLUB SHOPS REPLAT
PER PLAT BOOK 113, PAGE 151



N
(not to scale)

RESOLUTION NO. R-2014-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING A PORTION OF A UTILITY EASEMENT RECORDED IN OFFICIAL RECORD BOOK 5490, PAGE 1052, BEING A PORTION OF PARCEL A, POLO CLUB SHOPS REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 113, PAGES 151 AND 152, BOTH BEING OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida (Board), has considered the vacation pursuant to authority in Sections 177.101 and 336.09 of the Florida Statutes and as provided in Palm Beach County (County) Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), for the vacation of the hereinafter described; and

WHEREAS, petition to vacate said easement was submitted by G & I VII Polo Club LLC.; 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 February 4, 2014, did hold a meeting on said petition to vacate the portion of the utility easement shown in Exhibit A, and this Board determined that said is in excess of the requirements of the local utility companies; and

WHEREAS, this Board while convened in regular session on February 4, 2014, did hold a meeting on said Petition to vacate the utility easement, and this Board determined that said vacation conforms to Palm Beach County's Land Development Code.

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.

RESOLUTION NO. R-2014-_____

2. The portion of the utility 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.

3. Notice of the adoption of this Resolution shall be published once in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution as provided in Palm Beach County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance 2002-034).

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

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2014.

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

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
County Attorney

EXHIBIT A

Page 1 of 2



SKETCH AND LEGAL DESCRIPTION

BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



LEGAL DESCRIPTION:

A PORTION OF THAT UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 5490, PAGE 1052, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF PARCEL A, POLO CLUB SHOPS REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED PLAT BOOK 113, PAGES 151 AND 152, OF SAID PUBLIC RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE ON THE BOUNDARY OF SAID PARCEL "A" AND ON THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL THE FOLLOWING 3 COURSES AND DISTANCES: 1) NORTH 01°08'04" WEST 304.79 FEET; 2) SOUTH 88°51'56" WEST 12.00 FEET; 3) NORTH 01°08'04" WEST 77.00 FEET; THENCE NORTH 90°00'00" WEST 67.11 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 90°00'00" WEST 113.24 FEET; THENCE NORTH 00°00'00" EAST 31.33 FEET; THENCE NORTH 90°00'00" EAST 31.58 FEET; THENCE NORTH 00°00'00" EAST 42.00 FEET; THENCE NORTH 90°00'00" EAST 81.67 FEET; THENCE SOUTH 00°00'00" EAST 73.33 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 6,978 SQUARE FEET, 0.1602 ACRES.

NOTES:

- 1) BEARINGS ARE BASED ON THE EAST LINE OF PARCEL "A", BEING N01°08'04"W (GRID NAD 83-90 ADJUSTMENT).
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) O.R.B. DENOTES: OFFICIAL RECORDS BOOK.
- 5) COORDINATES SHOWN ARE GRID DATUM=NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE. LINEAR UNIT=US SURVEY FEET; COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION; ALL DISTANCES ARE GROUND; SCALE FACTOR=1.0000359; GROUND DISTANCE X SCALE FACTOR=GRID DISTANCE; BEARINGS SHOWN ARE GRID DATUM, NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

FILE: CORE STATES GROUP

SCALE: N/A

ORDER NO.: 55513

DATE: 12/10/12 REV. 10/30/13; 11/19/13

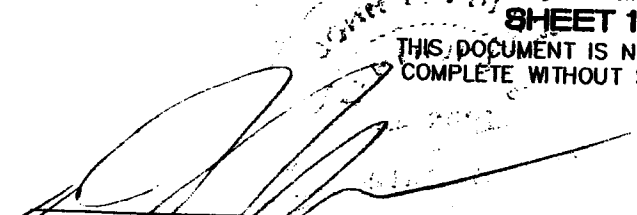
EASEMENT ABANDONMENT

PALM BEACH COUNTY, FLORIDA

FOR: CHASE BANK DELRAY

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2


 JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
STATE OF FLORIDA

