

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

Meeting Date: April 15, 2014

☒ Consent

☐ Regular

☐ Workshop

☐ 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 ten foot wide utility easement along the west line of Parcel A of the plat of Rooms to Go, as recorded in Plat Book 73, Pages 76 and 77, Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of this resolution will allow the petitioner to vacate a portion of the easement to allow for redevelopment of the site. The petition site is located west of Lyons Road, on the north side of Glades Road.

District 5 (MRE)

Background and Justification: The owner, Lois Realty Corp., is in the process of site plan approval to replat the property. 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.

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: JoAnnella Kella
Division Director

03/11/2014
Date

Approved by: S. T. White
County Engineer

3/24/14
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
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:

3/25 3/25/14
OFMB 3/25/14

3-31-14 3/31/14
Contract Dev. and Control
Bohndel

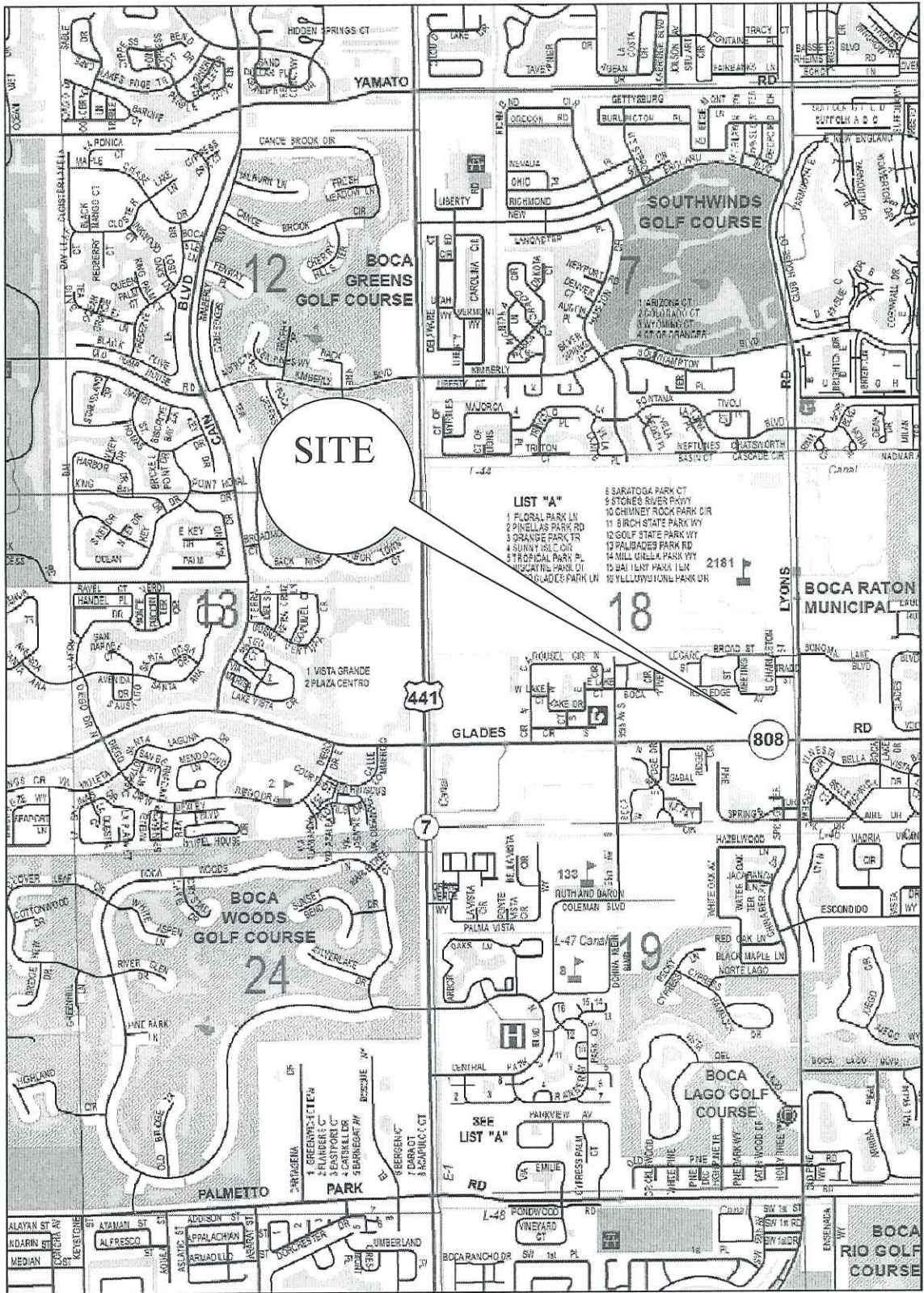
B. Approved as to Form and Legal Sufficiency:

Monica R. Little 04/01/14
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION SKETCH



ROOMS TO GO

RESOLUTION NO. R-2014-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING A PORTION OF A TEN FOOT WIDE UTILITY EASEMENT ALONG THE WEST LINE OF PARCEL A OF THE PLAT OF ROOMS TO GO, AS RECORDED IN PLAT BOOK 73, PAGES 76 AND 77, 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 2002-034) for the vacation of the hereinafter described; and

WHEREAS, petition to vacate said easement was submitted by Lois Realty Corp.; 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 April 15, 2014, did hold a meeting on said petition to vacate, and this Board determined that said portion of the utility easement as shown in Exhibit A attached hereto and made a part hereof, is in excess of the requirements of the local utility companies; and

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 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 the County and the public in and to the easement, more fully described in the legal description and sketch as shown in Exhibits A attached hereto and made a part hereof.

RESOLUTION NO. R-2014-_____

4. 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 (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

DESCRIPTION:

BEING THE WEST 10.00 FEET OF THAT CERTAIN 10.00 FOOT WIDE UTILITY EASEMENT ALONG THE WEST LINE OF PARCEL A, ROOMS TO GO, PLAT BOOK 73, PAGES 76 AND 77, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 10.00 FEET THEREOF.

CONTAINING 5,850 SQUARE FEET

NOTES:

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- 2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- 3. BEARINGS SHOWN HEREON ARE RELATIVE TO GRID DATUM NAD83/90 ADJUSTMENT BEARING OF NORTH 00°21'52" WEST ALONG THE WEST LINE OF PARCEL A, ROOMS TO GO, PLAT BOOK 73, PAGES 76 AND 77, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 4. THE COORDINATES SHOWN HEREON ARE STATE PLANE GRID COORDINATES ACCORDING TO THE TRANSVERSE MERCATOR PROJECTION OF THE FLORIDA EAST ZONE, N.A.D. 83, PER THE 1990 ADJUSTMENT, BASED ON THE GEODETIC CONTROL ESTABLISHED AND ACCEPTED BY THE PALM BEACH COUNTY SURVEY DEPARTMENT. THE LINEAR DIMENSIONS SHOWN HEREON ARE GROUND DISTANCES IN U.S. FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. THE GROUND DISTANCE TO GRID DISTANCE SCALE FACTOR IS 1.000017639 (GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE).
- 5. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
- 6. THIS SPECIFIC PURPOSE SURVEY WAS CONDUCTED TO SHOW ANY EXISTING VISUAL IMPROVEMENTS IN THE PROPOSED EASEMENT RELEASE AREA AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON OCTOBER 17, 2013. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

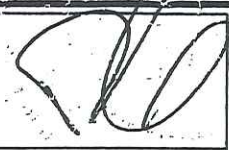
REVISED 1-15-2014: PALM BEACH COUNTY COMMENTS

SHEET 1 OF 3



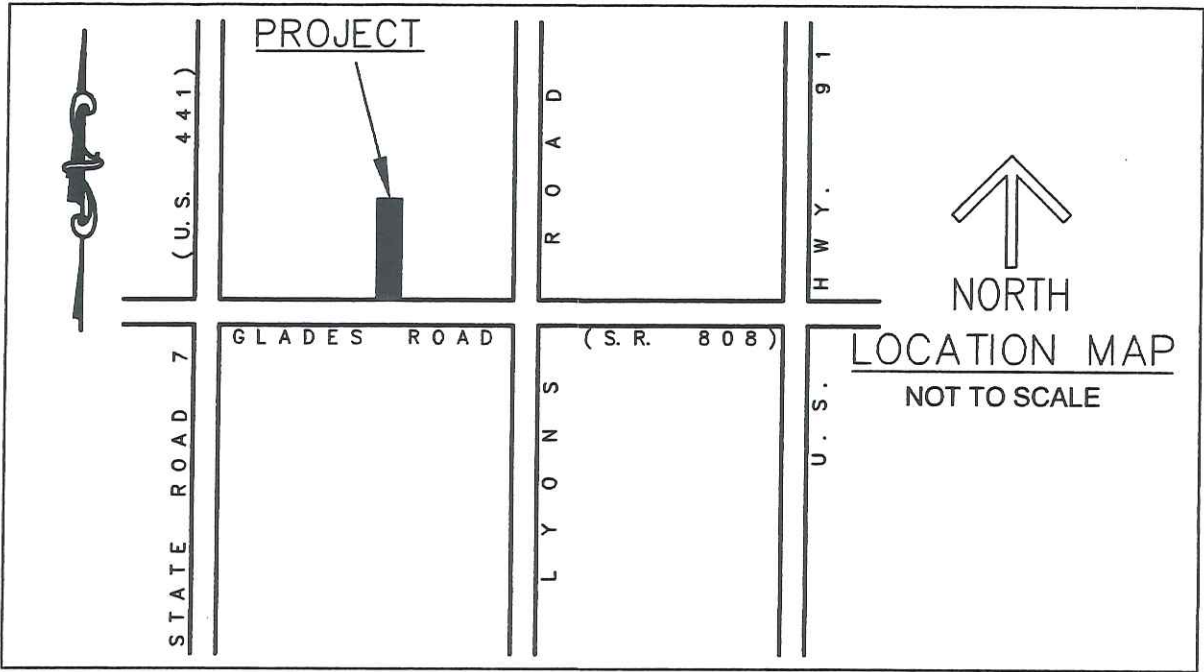
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

ROOMS TO GO
EASEMENT RELEASE
SPECIFIC PURPOSE SURVEY


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

DATE	10/17/13
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	N/A
JOB NO.	6428

EXHIBIT A



FOUND PALM BEACH COUNTY BRASS
DISC IN CONCRETE "FRUTACI"
N 742613.87
E 914402.55

FOUND PALM BEACH COUNTY BRASS
DISC IN CONCRETE "BUDS"
N 733521.86
E 917158.38

N90°00'00"E (PLAT)
N00°21'52"W (GRID)
WEST LINE OF PARCEL A
ROOMS TO GO
PLAT BOOK 73 PAGE 76

00°21'52" BEARING
ROTATION
(PLAT TO GRID)
(COUNTER CLOCKWISE)

NW CORNER
EASEMENT
ABANDONMENT
SEE SHEET 3
N 740914.33
E 921287.18

EASEMENT
ABANDONMENT
SEE SHEET 3

SW CORNER
EASEMENT
ABANDONMENT
SEE SHEET 3
4"x4" CONCRETE
MONUMENT
N 740329.34
E 921290.90

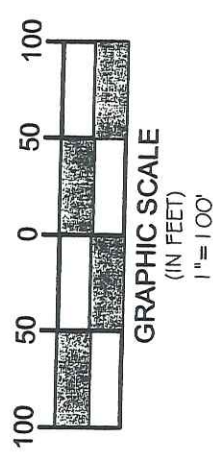
SHEET 2 OF 3

CAULFIELD & WHEELER, INC.
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ROOMS TO GO
EASEMENT RELEASE
SPECIFIC PURPOSE SURVEY

DATE	10/17/13
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	N/A
JOB NO.	6428

EXHIBIT A



TRACT 93
BLOCK 77
PALM BEACH FARMS
COMPANY PLAT NO. 3
PLAT BOOK 2 PAGE 45

W LINE PARCEL A
PLAT BOOK 73 PAGE 76
(BASIS OF BEARINGS)

4"x4" CONCRETE
MONUMENT
N 740329.34
E 921290.90

32.0' PALM BEACH COUNTY
UTILITY EASEMENT
ORB 8809 PAGE 715

N RIGHT-OF-WAY LINE
GLADES ROAD

GLADES ROAD (STATE ROAD 808)

N90°00'00"E (PLAT)
N89°38'08"E (GRID)
10.00' N 740914.40
E 921297.18

N 740914.33
E 921287.18

10.0' UTILITY EASEMENT
PLAT BOOK 73 PAGE 76

10'
N00°00'00"E (PLAT)
N00°21'52"W (GRID) 585.00'
S00°21'52"E (GRID) 585.00'
S00°00'00"E (PLAT)

NOTE: NO ABOVE GROUND
EVIDENCE OF UNDERGROUND
UTILITIES VISIBLE IN EASEMENT
OTHER THAN SANITARY MANHOLE
AND CLEANOUT AS SHOWN.

PARCEL A
ROOM TO GO
PLAT BOOK 73 PAGE 76

10.0' UTILITY EASEMENT
PLAT BOOK 73 PAGE 76

SANITARY
MANHOLE
AND CLEANOUT

10.0' UTILITY EASEMENT
PLAT BOOK 73 PAGE 76

N 740329.41
E 921300.90

S90°00'00"W (PLAT)
S89°38'08"W (GRID)
10.00'

SW CORNER PARCEL A
PLAT BOOK 73 PAGE 76
N 740319.34
E 921290.96

N00°21'52"W
10.00'



CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
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PHONE (561)-392-1991 / FAX (561)-750-1452

ROOMS TO GO
EASEMENT RELEASE
SPECIFIC PURPOSE SURVEY

SHEET 3 OF 3

DATE	10/17/13
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	1"=100'
JOB NO.	6428