

**Agenda Item #:**

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

**Meeting Date: November 18, 2014**      ☒ **Consent**      ☐ **Regular**  
    ☐ **Workshop**      ☐ **Public Hearing**

**Department:**

**Submitted By:** Engineering and Public Works

**Submitted For:** Right-of-Way Acquisition Section

## **I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to adopt:** A Resolution to designate Palm Beach County (County) owned land as right-of-way, located on the east side of 1<sup>st</sup> Street in unincorporated Belle Glade.

**SUMMARY:** Adoption of this Resolution will designate County owned land presently managed by the Property and Real Estate Management Division as right-of-way and will allow an abutting property owner to apply for a right-of-way connection permit which would provide legal access to his property. The County owned land is located on 1<sup>st</sup> Street between Q Street and R Street in unincorporated Belle Glade.

District 6 (MRE)

**Background and Justification:** The Property and Real Estate Management Division presently has management control over a parcel of land acquired by the County by tax deed. The parcel is located on the east side of 1<sup>st</sup> Street between Q Street and R Street in unincorporated Belle Glade. This parcel prevents legal access to two properties lying to the east of the County parcel. An abutting property owner has requested that the County parcel be designated as right-of-way in order to allow the Engineering Department to permit legal access to his property from 1<sup>st</sup> Street. Staff has reviewed the request and recommends adoption of this Resolution.

**Attachments:**

1. Location Map
2. Tax Deed to the County
3. Resolution with Exhibit "A"

**Recommended by:**

Division Director

Date \_\_\_\_\_

**Approved by:**

County Engineer

Date \_\_\_\_\_

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
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: Alii Kovalainen

III. REVIEW COMMENTS

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

J. P. Wheeler 10/27/14  
OFMB ASD SC  
10/27  
10/27

Mr. J. Jacobson 10/29/14  
Contract Dev. and Control  
10-29-14 B. Wheeler

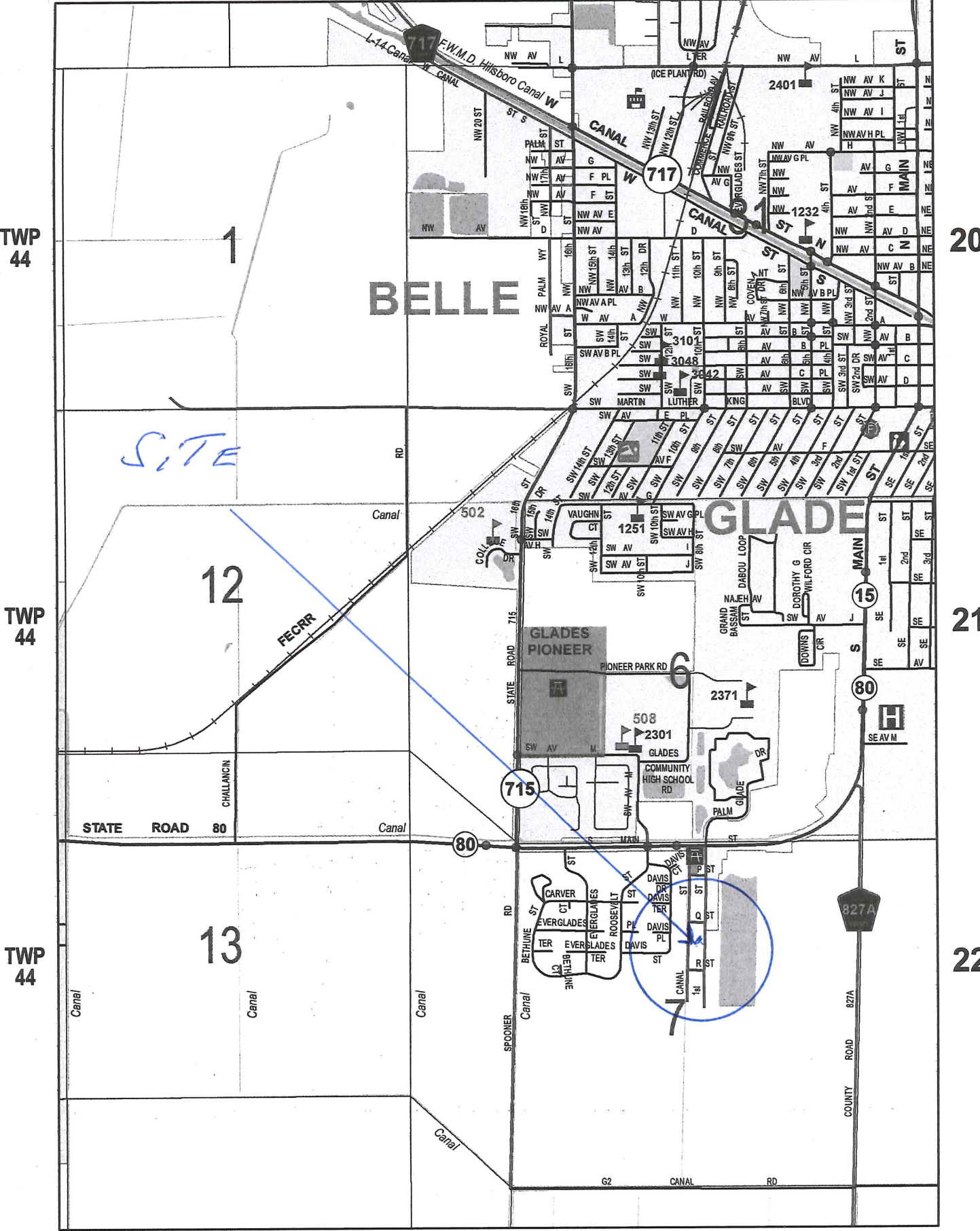
B. Approved as to Form  
and Legal Sufficiency:

Wendy Platt 10/30/14  
Assistant County Attorney

C. Other Department Review:

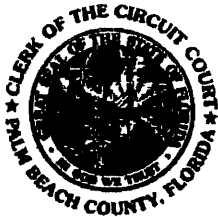
\_\_\_\_\_  
Department Director

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



Location Map

✓ D  
W/C 93



Dorothy H. Wilken  
Clerk

04/24/2002 12:21:06 20020209353  
OR BK 13639 PG 0293  
Palm Beach County, Florida  
AMT 020.96

## Tax Deed

KNOW ALL MEN BY THESE PRESENTS: That whereas, the following Tax Certificate, to-wit:

CERTIFICATE NUMBER  
216 '91

DATE OF ISSUANCE  
June 1, 1991

was duly filed in the office of the Clerk of the Circuit Court of this County and application made for the issuance of a tax deed based thereon; and the applicant having paid or redeemed all other taxes on the lands hereinafter described required by law to be paid or redeemed, and the cost and expenses of this sale and due notice of sale having been published as required by law, and no person entitled so to do having appeared to redeem said lands; such lands were on the 15th day of March, 1995 offered for sale at the courthouse door for cash to the highest bidder and there being no bid were placed upon the list of lands available for sale. The said tax certificate or certificates remained available for purchase by any or all persons for a period of seven years and have not been claimed.

Now, therefore, pursuant to F.S. 197.502(8) seven years having now elapsed, Dorothy H. Wilken, Clerk of the Circuit Court does hereby execute this tax deed vesting title in the Board of County Commissioners, Palm Beach County, whose address is: C/O Property and Real Estate Management, 3323 Belvedere Road, Building 503, West Palm Beach, Florida 33406, for the following described property:

7-44-37, E 30 Ft of W 290 Ft of N 581.02 Ft of S 1282.68 Ft  
OF W 1/4 OF NE 1/4

00-37-44-07-00-000-1090

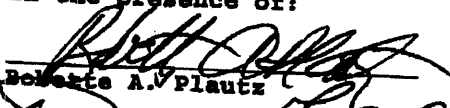
IN TESTIMONY WHEREOF, by virtue of the authority in me vested by law, and for and on behalf of the County of Palm Beach, State of Florida, I, Tamara T. Stambaugh, the undersigned, a Deputy Clerk for the Clerk of the Circuit Court for the County and State aforesaid, have executed this deed and have thereunto set my official signature and seal, at West Palm Beach in the County of Palm Beach and State of Florida, this 18<sup>th</sup> day of April, 2002.

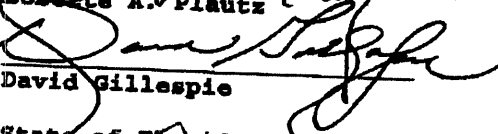
BOOK 13639 PAGE 0294  
Dorothy H. Wilken, Clerk

(Page 2 of Tax Deed)

Signed, sealed and delivered  
in the presence of:

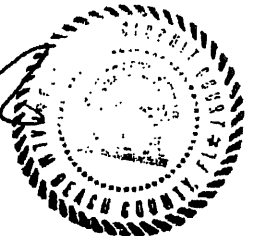
Dorothy H. Wilken  
Clerk of the Circuit Court

  
Bobette A. Plautz

  
David Gillespie

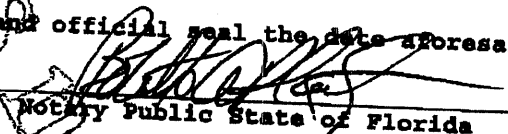
State of Florida  
County of Palm Beach

By:   
Tamara T. Stambaugh  
Deputy Clerk



On this 18<sup>th</sup> day of April, 2002, before me, Bobette A. Plautz, a Notary Public, personally appeared Tamara T. Stambaugh, a Deputy Clerk for the Circuit Court in and for the State and County aforesaid, to me known to be the person described in, and who executed the foregoing instrument, and acknowledged the execution thereof to be her own free act and deed for the use and purposes therein mentioned. She is personally known to me and did not take an oath.

Witness my hand and official seal the date aforesaid.

  
Notary Public State of Florida



Bobette A. Plautz  
Commission # DD 046291  
Expires July 31, 2005  
Bonded Thru  
Atlantic Bonding Co., Inc.

Not a Certified Copy

**RESOLUTION NO. R-2014-**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DESIGNATING AS RIGHT-OF-WAY A PARCEL OF LAND LOCATED IN UNINCORPORATED PALM BEACH COUNTY ON THE EAST SIDE AND ADJACENT TO 1<sup>ST</sup> STREET BETWEEN Q STREET AND R STREET IN BELLE GLADE, FLORIDA.**

**WHEREAS**, Palm Beach County (County) acquired a parcel of land (County parcel) by Tax Deed in 2002 (ORB 13639, Pg. 0293) which is located on the east side of 1<sup>st</sup> Street, between Q Street and R Street, in unincorporated Belle Glade, Florida more particularly described in the Tax Deed attached hereto and made part hereof as Exhibit "A"; and

**WHEREAS**, the County maintains this section of 1<sup>st</sup> Street Roadway; and

**WHEREAS**, the County parcel cuts off legal access to the two lots lying directly to the east of the County parcel; and

**WHEREAS**, the owner of one of the cut-off parcels has requested that the County designate the County parcel as right-of-way in order to provide legal access to both properties; and

**WHEREAS**, County staff has reviewed the request for designation of the County parcel as right-of-way and recommends approval;

WHEREAS, the Board of County Commissioners has agreed to designate the County parcel as right-of-way and finds that the designation is in the best interest of the citizens and residents of the County.

NOW THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County that:

- 1. The recitals hereinabove set forth are true, accurate and correct and are incorporated herein.
- 2. The parcel of County property more particularly described in Exhibit “A” attached hereto and made part hereof be and is hereby designated as Palm Beach County right-of-way.
- 3. This Resolution will take effect upon its adoption.

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:

- District 1: Hal R. Valeche \_\_\_\_\_
- District 2: Paulette Burdick \_\_\_\_\_
- District 3: Shelley Vana \_\_\_\_\_
- District 4: \_\_\_\_\_
- District 5: Mary Lou Berger \_\_\_\_\_
- District 6: \_\_\_\_\_
- District 7: Priscilla A. Taylor \_\_\_\_\_

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_ 2014.

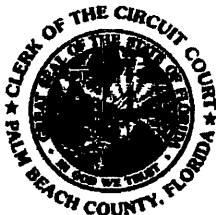
APPROVED AS TO FORM	PALM BEACH COUNTY, FLORIDA BY
AND LEGAL SUFFICIENCY	ITS BOARD OF COUNTY
	COMMISSIONERS

SHARON R. BOCK  
CLERK AND COMPTROLLER

By: _____	By: _____
Assistant County Attorney	Deputy Clerk



✓ D  
W/C 93



Dorothy H. Wilken  
Clerk

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OF W 1/4 OF NE 1/4

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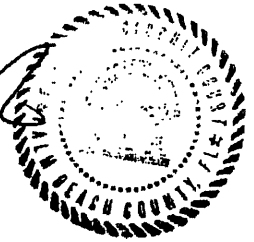
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Clerk of the Circuit Court

  
Bobette A. Plautz

  
David Gillespie

State of Florida  
County of Palm Beach

By:   
Tamara T. Stambaugh  
Deputy Clerk



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