

4A

Agenda Item #: _____

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

Meeting Date: December 2, 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 abandon any public interest in that certain portion of the 80 foot right-of-way dedication for Old Fairgrounds Road, from Southern Boulevard to approximately 800 feet north, being a parcel of land for road right-of-way purposes lying in Tracts 13, 18 and 19, Block 8 of Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45-54, Public Records of Palm Beach County, Florida, also being a portion of the lands described in Official Record Book 2749, Page 1880 of said Public Records.

SUMMARY: Adoption of this Resolution will allow Palm Beach County (County) to vacate its interest in that certain portion of 80 foot right-of-way for Old Fairgrounds Road from Southern Boulevard north approximately 800 feet that is in excess of County right-of-way requirements. The petition site is located on the north side of Southern Boulevard between Sansburys Way and State Road 7.

District 2 (MRE)

Background and Policy Issues: This application is being sponsored and processed by the County Engineer to release the County's interest in this excess right-of-way.

Reviewers and utilities service providers have no objection to the vacation.

Privilege Fee Statement: In accordance with the exemption in the County Code Chapter 22, Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), governmental agencies are exempt from the privilege fee.

Attachments:

- 1. Location Sketch
- 2. Resolution with Exhibit 'A'

Recommended by: Joannell Keller 10/31/2014
 Division Director Date

Approved by: S. J. Wahl 11/19/14
 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: Alice Kovalainen

III. REVIEW COMMENTS

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

Susan Neary 11/18/14
 OFMB
 11/18 11/18

Barbara Wheeler 11-19-14
 Contract Dev. and Control

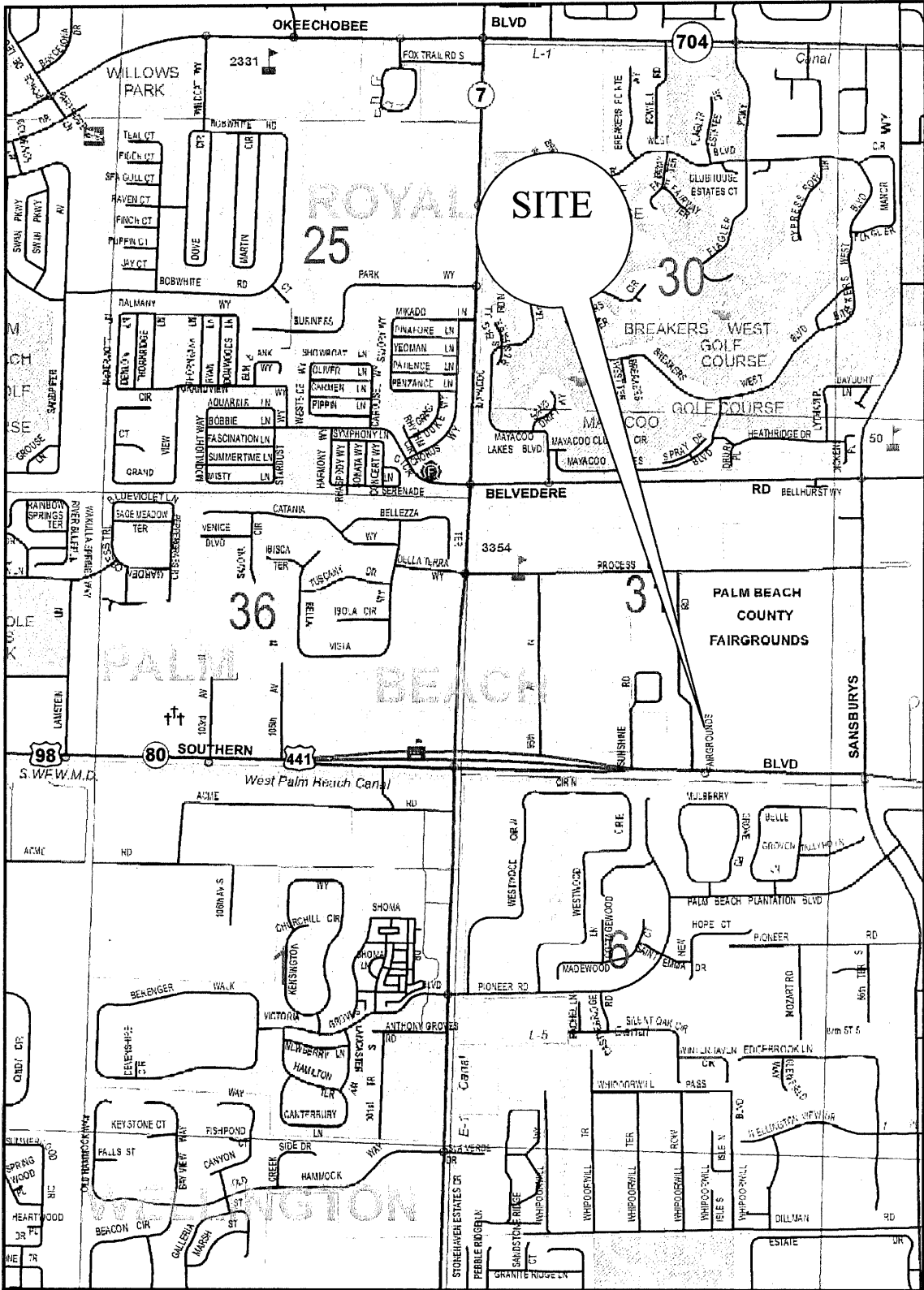
B. Approved as to Form and Legal Sufficiency:

Marlon P. Pitts 11/20/14
 Assistant County Attorney

C. Other Department Review:

 Department Director

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



LOCATION SKETCH



N (N.T.S.)

**OLD FAIRGROUNDS ROAD
(portions unimproved)**

RESOLUTION NO. R-2014_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO ABANDON ANY PUBLIC INTEREST IN THAT CERTAIN PORTION OF THE 80 FOOT RIGHT-OF-WAY DEDICATION FOR OLD FAIRGROUNDS ROAD, FROM SOUTHERN BOULEVARD TO APPROXIMATELY 800 FEET NORTH, BEING A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES LYING IN TRACTS 13, 18 AND 19, BLOCK 8 OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45-54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2749, PAGE 1880 OF SAID PUBLIC RECORDS.

WHEREAS, the Board of County Commissioners (Board) of Palm Beach County, Florida (County), pursuant to authority in Section 336.09, Florida Statutes, and as provided in the County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), known as the County Right-of-Way Abandonment and Plat Vacation Ordinance, and the petition of the County Engineer, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on December 2, 2014, to consider and determine whether or not Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the public in and for that portion of Old Fairgrounds Road as set forth on the sketch and legal description in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, in accordance with and as provided in the County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), notice of the holding of such meeting was duly published in the Palm Beach Post on November 16, 2014; and

WHEREAS, this Board held said hearing as advertised and determined that such action will not materially interfere with the County Road System and will not deprive any person of a reasonable means of ingress and egress from at least one County, State or Federal highway.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

RESOLUTION NO. R-2014-_____

1. The foregoing recitals are hereby reaffirmed and ratified.
2. The right-of-way is hereby abandoned and closed as public right-of-way and this Board does hereby renounce and disclaim any right or interest of the public in and to the right-of-way, more fully described in the legal description and sketch attached hereto as Exhibit A 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 in accordance with Section 336.10, Florida Statutes and the County Code Chapter 22. Article III.

RESOLUTION NO. R-2014-_____

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: Steven L. Abrams
- District 5: Mary Lou Berger
- District 6: Melissa McKinlay
- District 7: Priscilla A. Taylor

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

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LEGAL DESCRIPTION

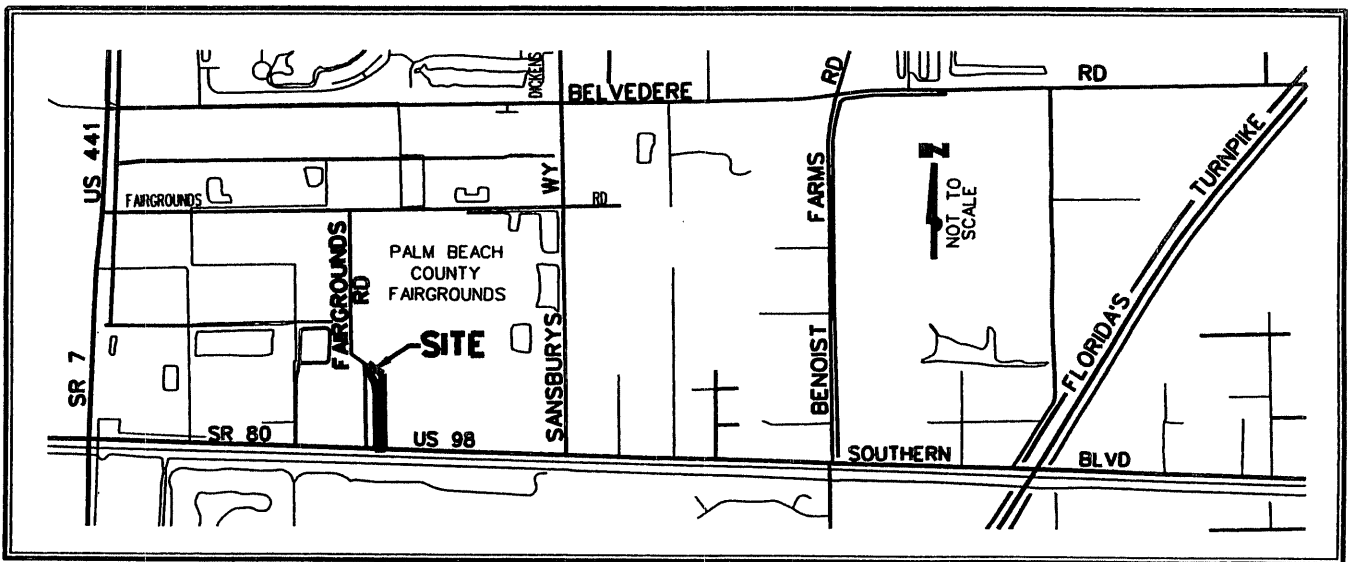
BEING A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES LYING IN TRACTS 13, 18 AND 19, BLOCK 8 OF PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45-54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2749, PAGE 1880 OF SAID PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SOUTHERN BOULEVARD (SR 80) AS SAID RIGHT-OF-WAY LINE IS SHOWN ON THE RIGHT-OF-WAY MAP RECORDED IN ROAD BOOK 2 PAGE 15 OF SAID PUBLIC RECORDS WITH THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF SAID TRACT 19; THENCE NORTH 00°59'30" WEST, ALONG SAID EAST LINE, AND ALONG THE WEST LINE OF FAIRGROUNDS ROAD AS RECORDED IN SAID OFFICIAL RECORD BOOK 2749, PAGE 1880, A DISTANCE OF 97.70 FEET TO A POINT ON THE NORTH LINE OF THE 10.33 FOOT WIDE PERMANENT EASEMENT PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SOUTHERN BOULEVARD (SR 80) SECTION 93120-2543 AND THE POINT OF BEGINNING:

THENCE NORTH 00°59'30" WEST, ALONG SAID EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF TRACTS 19 AND 18 AND ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 587.67 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 341.36 FEET; THENCE NORTHERLY AND NORTHWESTERLY, 268.13 FEET, ALONG THE ARC OF SAID CURVE, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 45°00'15" TO A POINT ON A LINE NON-TANGENT TO SAID CURVE, SAID LINE LYING 100.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, AND PARALLEL WITH THE PREVIOUSLY DESCRIBED EASTERLY LINE AND WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 00°59'30" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 103.99 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID FAIRGROUNDS ROAD; THENCE SOUTH 56°25'39" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 218.58 FEET; THENCE SOUTH 00°59'30" EAST, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 800.38 FEET TO THE EXISTING NORTH RIGHT-OF-WAY LINE OF SOUTHERN BOULEVARD PER THE LAST-DESCRIBED RIGHT-OF-WAY MAP; THENCE SOUTH 82°49'14" WEST, A DISTANCE OF 80.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 81,041 SQUARE FEET OR 1.860 ACRES, MORE OR LESS.

SECTION 31, TOWNSHIP 43 SOUTH, RANGE 42 EAST



PROJECT NO.
2013050.100

SHEET 1
5

PROJECT:
**OLD FAIRGROUNDS ROAD
ABANDONMENT
BOUNDARY SURVEY**

DESIGN FILE NAME: S-1-13-3335.DGN
DRAWING NO.: S-1-13-3335

NO.	REVISION	BY	DATE
1	REVISE DESCRIPTION ADD TITLE	W. J. L.	4/16/2013
2	NOTE GENERAL REVISIONS	W. J. L.	5/06/2013

SCALE: 1" = 30'
APPROVED: W. L. F.
DRAWN: C. R. B.
CHECKED: 1/07/13
FIELD BOOK NO.

PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS

ROADWAY PRODUCTION

2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411

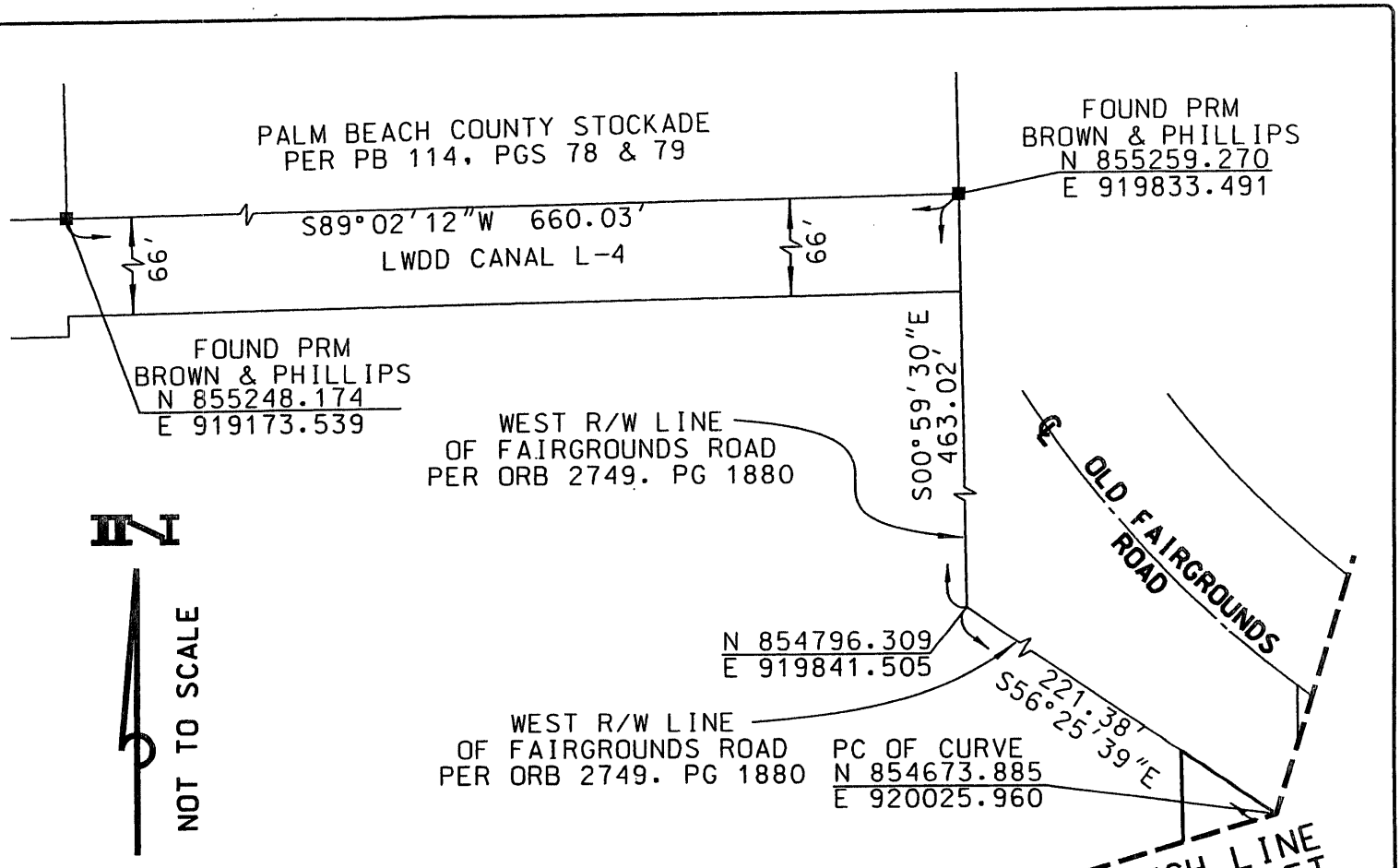
SURVEYOR'S NOTES

- 1) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR
- 2) THE PROJECTS FIELD TRAVERSE WAS ESTABLISHED USING RTK GPS SURVEYING PROCEDURES AND THE TRIMBLE VRSNOW NETWORK. AN RTK GPS SURVEY WAS DONE TO ESTABLISH THE HORIZONTAL VALUES AS SHOWN ON THE BASELINE CONTROL POINTS REFERENCED ON A TOPOGRAPHIC SURVEY OF THE SITE PREPARED BY THE PALM BEACH COUNTY SURVEY SECTION UNDER DRAWING NO S-3-12-3330. BEARINGS SHOWN AND DESCRIBED HEREON ARE BASED ON THE A GRID BEARING OF NORTH $00^{\circ}59'30''$ WEST ALONG THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF SAID TRACT 19. NOTE: THERE IS A COUNTER CLOCKWISE ROTATION OF $00^{\circ}00'07''$ BETWEEN THE BEARINGS SHOWN AND DESCRIBED HEREON AND THE BEARINGS OF THE FAIRGROUNDS ROAD RIGHT-OF-WAY DEED REFERENCED HEREIN.

BEARING EQUATION: $N 00^{\circ}59'30'' W$ (SURVEY)
 $N 00^{\circ}59'23'' W$ (DEED)
- 3) COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GRID.
PROJECT SCALE FACTOR = 1.0000209
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- 4) THIS SURVEY IS BASED ON TITLE REPORT PREPARED BY THE PALM BEACH COUNTY RIGHT-OF-WAY SECTION DATED 10/02/2012 AND ALL EASEMENTS AND RIGHT-OF-WAY AFFECTING THIS SIGHT ARE REFLECTED HEREON.
- 5) THE DESCRIPTION SHOWN WAS PREPARED BY THE SIGNING SURVEYOR BASED ON THE ORIGINAL DESCRIPTION FOR FAIRGROUNDS ROAD IN THE RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORD BOOK 2749, PAGE 1880 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
- 6) FIELD WORK FOR THIS PROJECT IS LOCATED IN FIELD BOOK 1080D, PAGES 27 - 33. INSTRUMENTS USED WERE THE TOPCON GTS #4, TOPCON GTS 311 AND TRIMBLE R-8 GPS EQUIPMENT. IMPROVEMENTS LOCATED IN THE AREA OF THE PROPOSED ABANDONMENT WERE LOCATED BY CONVENTIONAL TOTAL STATION AND DATA COLLECTION PROCEDURES.
- 7) THE FILE NAMES ARE FAIRGRND.PRJ, FAIRGRND.DAT, S-1-13-3330.SS4, S-1-13-3332.DGN, S-1-13-3335.DGN AND S-1-13-3335.DOCX
- 8) ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.
- 9) IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.
- 10) THIS INSTRUMENT WAS PREPARED BY WAYNE LARRY FISH, P.S.M. IN THE OFFICE OF THE COUNTY ENGINEER, VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.
- 11) ALL EXISTING AND ESTABLISHED CONTROL BASED ON THE MEASUREMENTS SHOWN, MEET OR EXCEED THE RELATIVE DISTANCE ACCURACY REQUIREMENT OF 1:10,000 (COMMERCIAL/HIGH RISK) REQUIRED BY THIS SURVEY.
- 12) BOTH THE 10.33' & 11.65' PERMANENT EASEMENTS ALONG THE NORTH RIGHT-OF-WAY OF SOUTHERN BLVD. ARE AS DEPICTED ON THE FDOT R/W MAP FOR SECTION 93120-2543.
- 13) THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=60' ON AN 8 1/2"X11" SHEET.

EXHIBIT A

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NOT TO SCALE

LEGEND

- = FOUND PRM
- PRM = PERMANENT REFERENCE MONUMENT
- ORB = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- PG = PAGE
- R/W = RIGHT-OF-WAY
- TR = TRACT
- BLK = BLOCK
- ⊙ = CENTERLINE
- PC = POINT OF CURVATURE
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION
- PBCO = PALM BEACH COUNTY
- RB = ROAD PLAT BOOK
- LWDD = LAKE WORTH DRAINAGE DISTRICT
- PSM = PROFESSIONAL SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Wayne L. Barry
 WAYNE L. BARRY
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA REGISTRATION NO. 3238

5/06/2013
 DATE

EXHIBIT A

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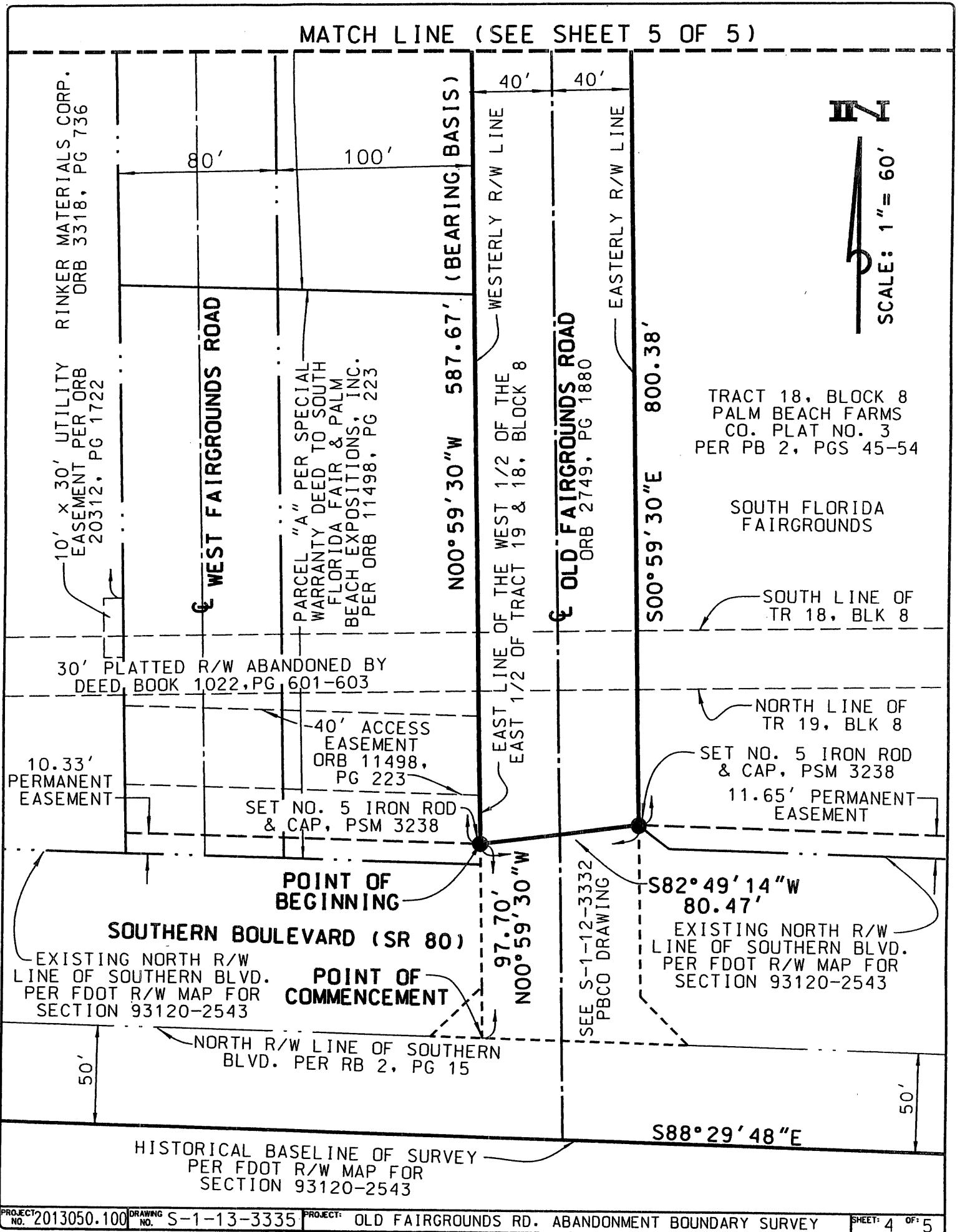
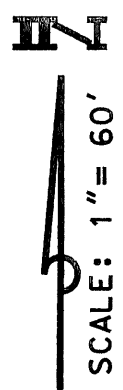
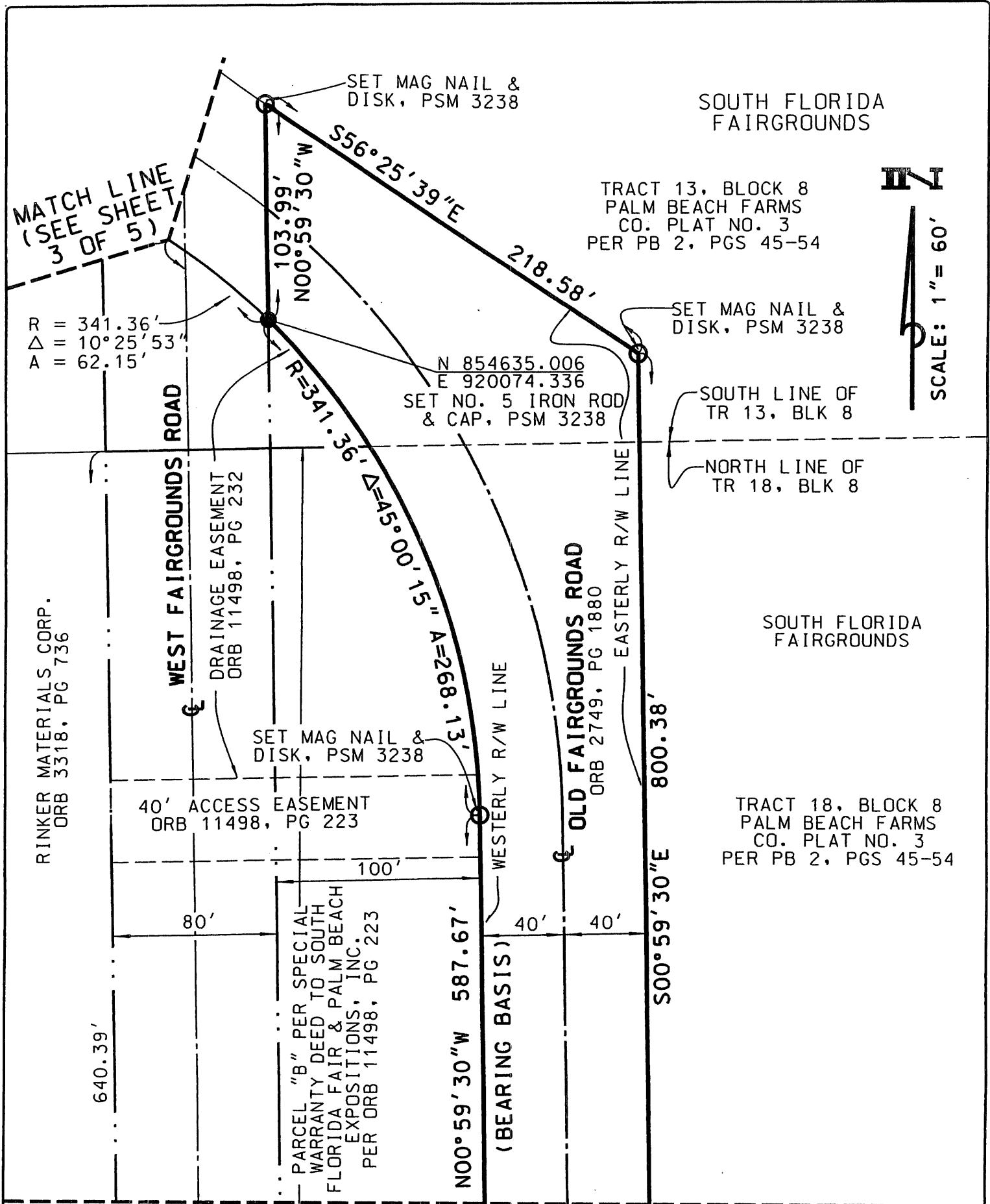


EXHIBIT A

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MATCH LINE (SEE SHEET 4 OF 5)