Agenda Item #: 3-C-6

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April	7, 2015	[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 maintenance map with the Clerk of the Circuit Court (Clerk) of and for Palm Beach County (County) Florida certifying that portions of Old Dixie Highway and Richard Road in Sections 17 and 18, Township 42 South, Range 43 East, have been maintained or repaired, continuously and uninterrupted, by the County for more than seven years and all rights, title, easement appurtenances in and to the roads are therefore vested in the County.

SUMMARY: Adoption of this resolution will establish and confirm title of Old Dixie Highway and Richard Road in Sections 17 and 18, Township 42 South, Range 43 East, to the County in accordance with Section 95.361, Florida Statutes, which provides that upon seven years of continuous and uninterrupted maintenance or repair of the roads by the County and upon filing of a map with the Clerk, the title to the roads become 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 Old Dixie Highway & Richard Road Maintenance Map, that it depicts the limits of maintenance by the County.

District 1 (MRE)

Background and Justification: Old Dixie Highway and Richard Road exist today after having been viewed and posted according to law and declared public highways by the Board of County Commissioners on February 6, 1917. The Engineering Department is currently planning to improve the intersection of Northlake Boulevard and Old Dixie Highway, and the intersection of the future extension of North Congress Avenue and Old Dixie Highway. Currently Richard Road and Old Dixie Highway have been continuously maintained for over seven years. A maintenance map needs to be filed for the roads to become fully vested in the County, and to allow the planned road improvements. The limits of maintenance have been established by the Road and Bridge Division and Survey Section. After reviewing the attached maintenance map and finding it in proper order, staff recommends approval.

Attachments:

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

Recommended by: Onelw J. Firmanlly 2/26/1	Jule
Division Director Date	
Approved by: $\Delta \sqrt{1 \cdot W_{obs}} = 3/13/15$	
County Engineer Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	<u>\$ -0-</u>				<u>-0-</u>
Operating Costs			-0-	0-	
External Revenues	-0-				<u>-0-</u>
Program Income (County)	0-			0-	<u>-0-</u>
In-Kind Match (County)	-0-		0-	0-	
NET FISCAL IMPACT	<u>* </u>	-0-			<u>-0-</u>
# 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 these sections of roadways and will continue to do so.
 - C. Departmental Fiscal Review: Well Portal acree

III. REVIEW COMMENTS

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

Fush Newry 3/17/15 5/10 ASD OFMB 203/19

Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

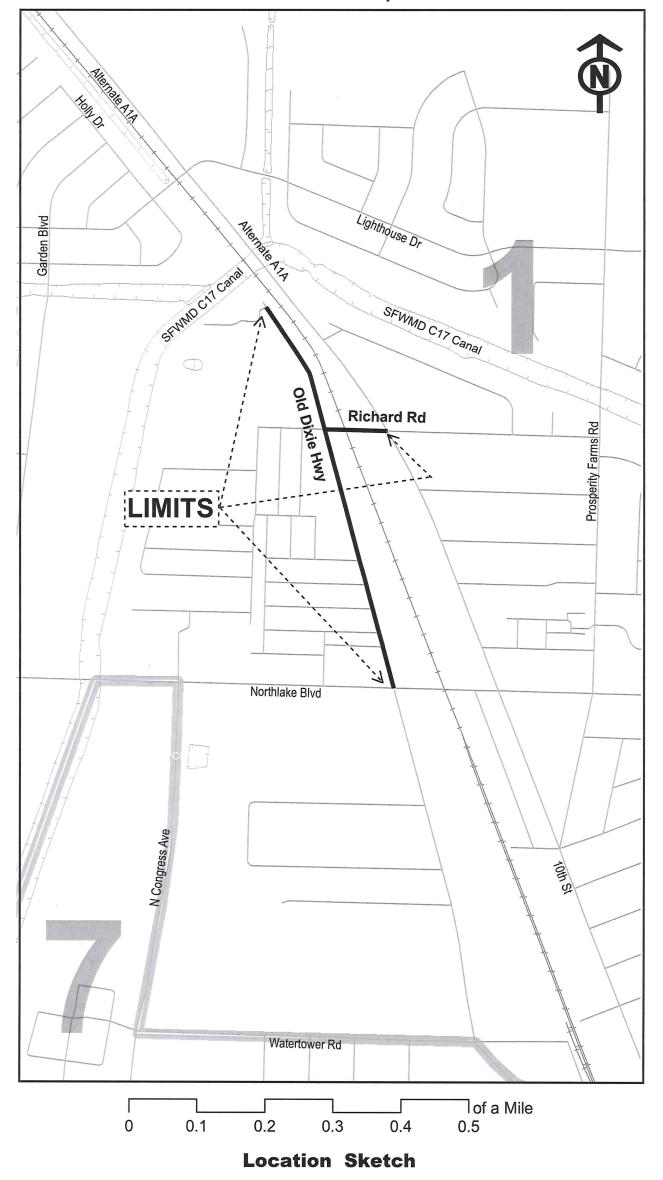
Assistant County Attorney

C. Other Department Review:

Department Director

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

Palm Beach County



RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO APPROVE THE RECORDATION AND FILING OF A MAINTENANCE MAP FOR OLD DIXIE HIGHWAY & RICHARD ROAD, SECTIONS 17 AND 18, TOWNSHIP 42 SOUTH, RANGE 43 EAST, WITH THE CLERK OF THE CIRCUIT COURT OF AND FOR PALM BEACH COUNTY, FLORIDA

WHEREAS, the Old Dixie Highway & Richard Road Maintenance Map has been submitted to the Board of County Commissioners (Board) for approval for filing for records; and

WHEREAS, the Road and Bridge Division Director has certified that Palm Beach County (County) has maintained these areas of Old Dixie Highway and Richard Road for more than seven years, as required by Florida Statute 95.361; and

WHEREAS, Florida Statute 95.361 states that when a road constructed by the County has been maintained or repaired continuously and uninterruptedly for seven 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 (Clerk) 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 Clerk and the Mayor of the Board. 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 maintenance map and the Clerk is authorized to sign same.

RESOLUTION NO. R-2015 ...

The foregoing Resolution was offered by Commis	ssioner who moved its
adoption. The motion was seconded by Commission	oner and upon being put
to a vote, the vote was as follows:	
Commissioner Shelley Vana, Mayor	-
Commissioner Mary Lou Berger, Vice Mayo	or -
Commissioner Hal R. Valeche	-
Commissioner Paulette Burdick	-
Commissioner Steven L. Abrams	-
Commissioner Melissa McKinlay	-
Commissioner Priscilla A. Taylor	-
The Mayor thereupon declared the Resolution du, 20	aly passed and adopted this day of
SHARON R. BOCK, CLERK AND COMPTROLLER	APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
By: Deputy Clerk	By: County Attorney
Deputy Clerk	County Attorney

OF-WAY, BER COMMISSION NIVILES BOUR DATED UP (12) TO STAND WHICH BY COMPANY AND UP (13) TOWNSHOP AS COUNTY AND UP (14) TOWNSHOP AS COUNTY (14) TOWNSHOP AS COUNTY (15) TOWNSHO

TOGETHER WITH: (LEGAL DESCRIPTION CONTINUED ON RIGHT)

RIGHT OF WAY DEDICATION OF AREAS SHOWN HEREON BY MAINTENANCE.

STATE OF FLORIDA COUNTY OF PALM BEACH

APPROVED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA APPROVED AND JOURNAL OF THE BUNDARY OF SERVICE CONTROL OF THE BOARD OF COUNTY ON THIS DATE SHELLEY VANA AND SHARON R. BOCK, RESPECTIVELY MAYOR OF THE BOARD OF COUNTY COMMISSIONERS AND CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THE COUNTY ROADS HEREFORDER KNOWN AND DESIGNATED AS OLD DIKE MIGHINAY AND RICHARD ROAD IN FALM BEACH COUNTY, FLORIDA, AS SHOWN ON THE MAP TO WHICH THIS CERTIFICATE IS AFFIXED, HAVE BEEN MAINTAINED, KEPT IN REPAIR AND WORKED CONTINUOUSLY AND UNINTERRUPTEDLY FOR A PERIOD OF MORE THAN SEVEN YEARS BY THE COUNTY OF PALM BEACH, FLORIDA TO THE EXTENT IN WIDTH AS SHOWN ON SAID MAP, AND RIGHT OF WAY AS SHOWN IS DEEMED TO BE DEDICATED TO THE PUBLIC. THE TITLE TO THE RIGHTS OF WAY OF SAID ROADS HAS VESTED IN THE COUNTY OF PALM BEACH, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER/SECTION 95.361 (FORMERLY SECTION 337.31), FLORIDA STATUTES 2012.

SHELLEY VANA MAYOR, BOARD OF COUNTY COMMISSIONERS SHARON R. BOCK CLERK AND COMPTROLLER GEORGE T. WEBB, P.E. COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE WIDTH AND EXTENT OF THE AREAS SHOWN HEREON ARE A TRUE AND CORRECT REPRESENTATION OF THE AREAS ALONG OLD DIXIE HWY, & RICHARD ROAD THAT HAVE EEEN CONTINUOUSLY MAINTAINED FOR A PERIOD OF MORE THAN SEVEN (7) YEARS BY PALM BEACH

Dayl Dawson DIRECTOR, ROAD AND BRIDGE DIVISION ENGINEERING AND PUBLIC WORKS PALM BEACH COUNTY, FLORIDA

COUNTY OF PALM BEACH STATE OF FLORIDA

BOARD OF COUNTY COMMISSIONERS PROJECT NO. 2004506

OLD DIXIE HWY. & RICHARD ROAD

MAINTENANCE MAP -SPECIFIC PURPOSE SURVEY

SECTION 17 & 18, TOWNSHIP 42 SOUTH, RANGE 43 EAST

HAL R. VALECHE DISTRICT 1

PAULETTE BURDICK DISTRICT 2

STEVEN L. ABRAMS DISTRICT 4

MELISSA MCKINLAY DISTRICT 6



SECTION 17 & 18, TOWNSHIP 42 SOUTH, RANGE 43 EAST

SHELLEY VANA DISTRICT 3

MARY LOU BERGER

PRISCILLA A. TAYLOR DISTRICT 7

DISTRICT 5

COMMENCING AT THE AFOREMENTIONED REFERENCE POINT "A" BEING A POINT OCHARLES OF A POINT OCHARLES OCHARL

OVERALL PARCEL CONTAINS 175,766 SQUARE FEET, 4.0350 ACRES

SURVEYOR'S REPORT

THIS IS A MAINTENANCE MAP/SPECIFIC PURPOSE SURVEY SHOWING THE LIMITS OF MAINTENANCE ALONG OLD DIXE HIGHWAY FROM NORTH LAKE BOULEVARD NORTH TO THE C-17 CANAL AND OF RICHARD ROAD FROM OLD DIXE HIGHWAY EAST TO ALTERNATE A-1-A, ALL LYING IN SECTION 17 AND 18, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

FILE NAMES ARE 2004506CONTROL.SS4, 2004506.PRJ, 2004506 LEGAL & NOTES.DOC. AND S-3-14-3587.DGN

THE INTENDED PLOT SCALE OF THIS DRAWING IS 1"- 20' ON 24"X 36" PAPER.

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.
COORDINATES SHOWN ARE GRID
ATUM - NAD 85, 1890 ADJUSTMENT
ZONE - LORENZA LES LURVEY FOOT
COORDINATE SYSTEM 1883 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR - 1.000043983
GROUND DISTANCE X SCALE FACTOR - GRID DISTANCE
ALL DISTANCES ARE GROUND.

FIELD WORK COMPLETED 12/09/2014, IN FIELD BOOK 1270AAA, PAGES 40-65.

A LINE OF BEST FIT FOR THE CENTERLINE WAS ESTABLISHED THROUGHOUT THE ENTER LENGTH OF THIS MAINTENANCE MAP IN RELATIONSHIP TO THE EXISTING BOUNDARY MONAMENTATION LOCATED AT THE TIME OF THIS SURVEY. THIS MAP REPRESENTS AN AS LAID OUT, IN USE, AND MANTAWED LOCATION OF BOTH OLD DIKE HIGHMAY AND RICHARD ROAD, ADDITIONAL INFORMATION TO SUPPORT THE CONCLUSIONS SHOWN ON THIS MAP CAN BE FOUND IN THE PROJECT FILE IN THE OFFICE OF THE COUNTY ENGINEER.

PROYED: G.W.M

AWNI Ğ.W.M

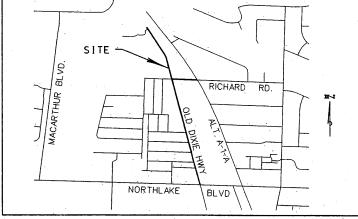
ECRED: R.W.B.

HEREBY CERTIFY THAT THE MAINTENANCE MAP AND SPECIFIC PURPOSE SURVEY PRESENTED HEREIN IS THE RESULT OF A FIELD SURVEY, CONDUCTED UNDER MY DIRECTION. THIS MAP DEPICTS THE LOCATION OF PUBLIC RIGHT-OF-WAY AND AREAS MANTAMED BY COUNTY FORCES PER THE CERTIFICATION OF, THE DIRECTOR OF THE ROAD AND BRIDGE DIVISION WITHIN THE CORRIDOR DEPICTED HEREON, THE MAP AND FIELD SURVEY WEET THE FLORDA STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDAD BOARD OF PROFESSIONAL LAND SURVEYORS IN NULE 53-17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472-027, FLORIDA TATUTÉS.

DATE: 2 5 15

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





OLD DIXIE HWY. & RICHARD ROAD MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY SECTION 17 & 18, TOWNSHIP 42 SOUTH, RANGE 41 EAST DESIGN FILE HAVE S-3-14-3587.DGN

S-3-14-3587



PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ROADWAY PRODUCTION Attachm ent

