

4A

[illegible]

☐ Regular  
☒ Public Hearing

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

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**Motion and Title: Staff recommends motion to adopt:** a resolution to abandon any public interest in all of Tracts D-3 and D-4 of Canyon Isles Preserve Plat Two, as recorded in Plat Book 104, Pages 152 through 156 and a portion of Acme Dairy Road right-of-way according to the Road, Dyke and Ditch Reservation 30 feet in width, lying between Tracts 73, 88, 105, 116 and Tracts 72, 89, 104 and 117, Block 63, according to Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, page 45, (said reservation also lying between Tracts A-1 and A-2 of said Canyon Isles Preserve Plat Two) all of the Public Records of Palm Beach County, Florida.

### District 5 (MRE)

Reviewing agencies and utility service providers have no objection to the vacation.

Total square footage of unimproved right-of-way (abandonment site).....	67,314
Less square footage of right-of-way for Lyons Road.....	<u>126,500</u>
Total square footage.....	- 59,186
Total Privilege Fee (equals zero when dedicated right-of-way square footage exceeds abandoned right-of-way square footage).....	-0-

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

=====

mm Recommended by: Joanne M. Kella 04/08/2015 [Signature]  
Division Director Date

Approved by: D. J. Webb 4/29/15  
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: .

*Alicia Kovalainen*

## III. REVIEW COMMENTS

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

*Sheng Bu*  
K/D & A/D OFMB 4/30 4/30 4/30

*Dr. J. Jacobson* 5/4/15  
Contract Dev. and Control  
5-1-15 A/D Jacobson

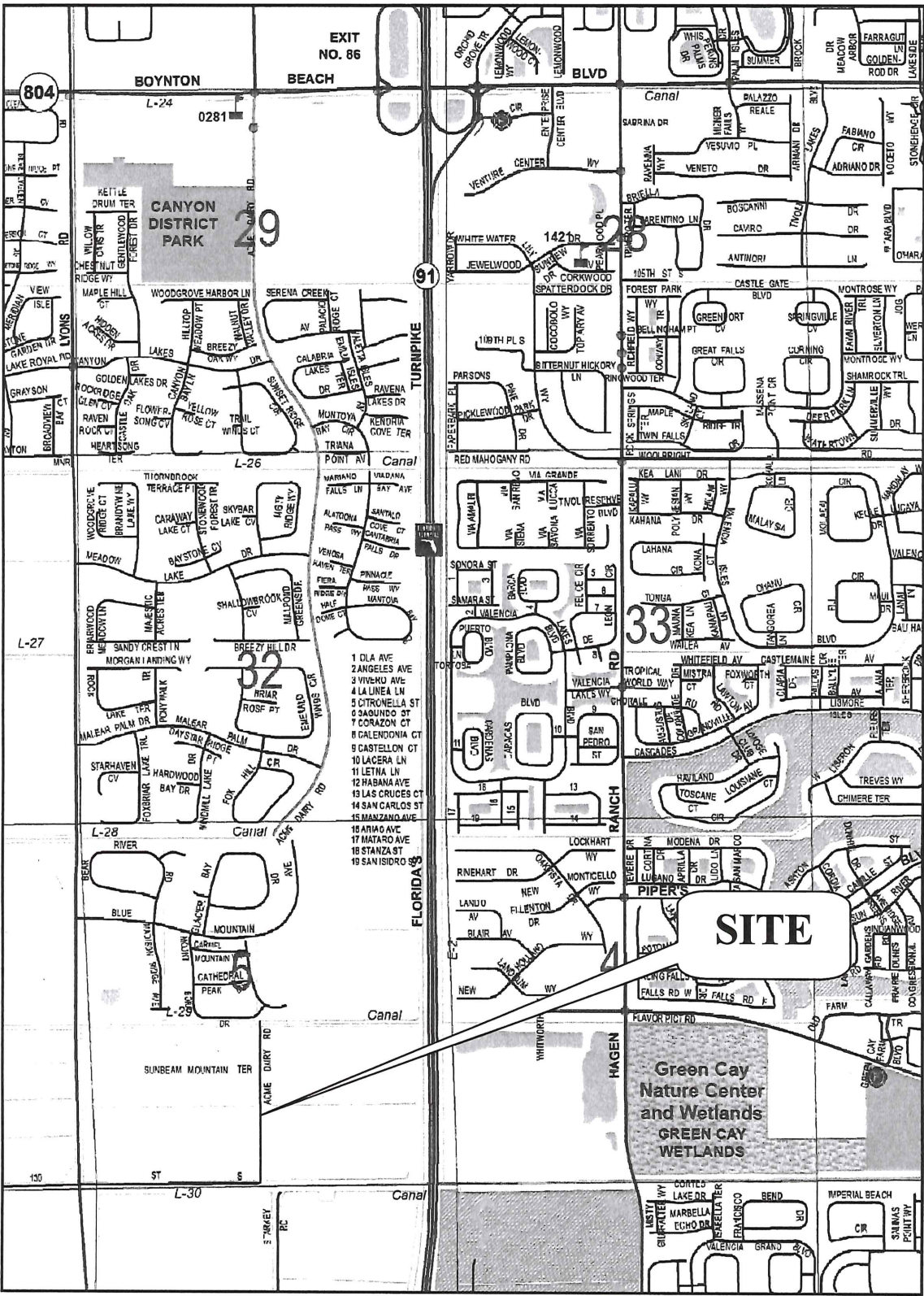
### B. Approved as to Form and Legal Sufficiency:

*Monika R. Gatt* 5/4/15  
Assistant County Attorney

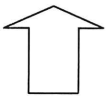
### C. Other Department Review:

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

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



LOCATION SKETCH



N (Not to scale)

A PORTION OF ACME DAIRY ROAD  
ABANDONMENT OF A PORTION OF ACME DAIRY ROAD  
RIGHT-OF-WAY, FROM APPROXIMATELY FLAVOR PICT  
ROAD/LWDD L-29 CANAL SOUTHWARD 2,152 FEET TO THE  
LWDD L-30 CANAL

**RESOLUTION NO. R-2015\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ALL OF TRACTS D-3 AND D-4 OF CANYON ISLES PRESERVE PLAT TWO, AS RECORDED IN PLAT BOOK 104, PAGES 152 THROUGH 156 AND A PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY ACCORDING TO THE ROAD, DYKE AND DITCH RESERVATION 30 FEET IN WIDTH, LYING BETWEEN TRACTS 73, 88, 105, 116 AND TRACTS 72, 89, 104 AND 117, BLOCK 63, ACCORDING TO PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, (SAID RESERVATION ALSO LYING BETWEEN TRACTS A-1 AND A-2 OF SAID CANYON ISLES PRESERVE PLAT TWO) ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.**

**WHEREAS**, the Board of County Commissioners of Palm Beach County, Florida (Board), pursuant to authority in Section 336.09, Florida Statutes, and as provided in Palm Beach County (County) Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance No. 2002-034), known as the Palm Beach County Right-of-Way Abandonment and Plat Vacation Ordinance, and the petition of Boynton Beach Associates XXII, LLLP, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on May 19, 2015, to consider and determine whether or not the County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the public in and for a portion of right-of-way known as Acme Dairy Road, being all of Tracts D-3 and D-4 and dedicated to the public by plat of Canyon Isles Preserve Plat Two, as recorded in Plat Book 104, Page 152, and a portion of Acme Dairy Road right-of-way according to the Road, Dyke and Ditch reservation 30 feet in width, lying between Tracts 73, 88, 105, 116 and Tracts 72, 89, 104 and 117, Block 63, according to Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Page 45, (said reservation also lying between Tracts A-1 and A-2 of said Canyon Isles Preserve Plat Two) all of the Public Records of Palm Beach County, Florida, as set forth on the sketch and legal description set forth in Exhibit A attached hereto and incorporated herein by reference; and

**RESOLUTION NO. R-2015-\_\_\_\_\_**

**WHEREAS**, as provided in 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 May 3, 2015; and

**WHEREAS**, this Board did hold 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 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

1. The foregoing recitals are hereby reaffirmed and ratified.
2. The road right-of-way is hereby abandoned and closed as right-of-way and this Board does hereby renounce and disclaim any right or interest of the County and the Public in and to the road right-of-way, more fully described in the legal description and sketch as shown in Exhibit A 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 County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance 2002-034).

**RESOLUTION NO. R-2015\_\_\_\_\_**

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 \_\_\_\_\_, 2015.

**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





DESCRIPTION:

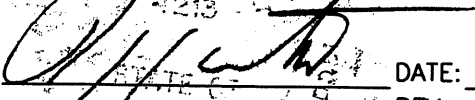
BEING ALL OF TRACTS D-3 AND D-4 OF CANYON ISLES PRESERVE PLAT TWO, AS RECORDED IN PLAT BOOK 104, PAGES 152 THROUGH 156, AND A PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY ACCORDING TO THE ROAD, DYKE AND DITCH RESERVATION 30 FEET IN WIDTH, LYING BETWEEN TRACTS 73, 88, 105, 116 AND TRACTS 72, 89, 104 AND 117, BLOCK 63 ACCORDING TO PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, (SAID RESERVATION ALSO LYING BETWEEN TRACTS A-1 AND A-2 OF SAID CANYON ISLES PRESERVE PLAT TWO) ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT A-2 AND THE SOUTH EAST CORNER OF THAT SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY ACCORDING TO THE ROAD, DYKE AND DITCH RESERVATION 30 FEET IN WIDTH ; THENCE SOUTH 89°00'54" WEST, ALONG THE SOUTH LINE OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY AND THE SOUTHEAST CORNER OF SAID TRACT A-1; THENCE NORTH 00°23'29" WEST, ALONG THE EAST LINE OF SAID TRACT A-1 AND THE WEST LINE OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY, A DISTANCE OF 2151.87 FEET TO THE SOUTH CORNER OF SAID TRACT D-3; THENCE NORTH 45°23'29" WEST, ALONG THE BOUNDARY OF SAID TRACT D-3, A DISTANCE OF 56.56 FEET TO THE NORTHWEST CORNER OF SAID TRACT D-3; THENCE NORTH 89°36'30" EAST, ALONG THE NORTH LINE OF SAID TRACT D-3 AND THE NORTH LINE OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY, A DISTANCE OF 50.63 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2160.00 FEET; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY AND THE NORTH LINE OF SAID TRACT D-4, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°32'46", A DISTANCE OF 58.29 FEET TO THE NORTHEAST CORNER OF SAID TRACT D-4; THENCE SOUTH 43°50'07" WEST, ALONG THE BOUNDARY OF SAID TRACT D-4, A DISTANCE OF 55.79 FEET TO THE SOUTH CORNER OF SAID TRACT D-4 AND A POINT ON THE EAST LINE OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY AND THE WEST LINE OF SAID TRACT A-2; THENCE SOUTH 00°23'29" EAST, ALONG THE EAST LINE OF SAID PORTION OF ACME DAIRY ROAD RIGHT-OF-WAY AND WEST LINE OF SAID TRACT A-2, A DISTANCE OF 2152.36 FEET TO THE POINT OF BEGINNING;

CONTAINING 1.55 ACRES, MORE OR LESS

CERTIFICATION:

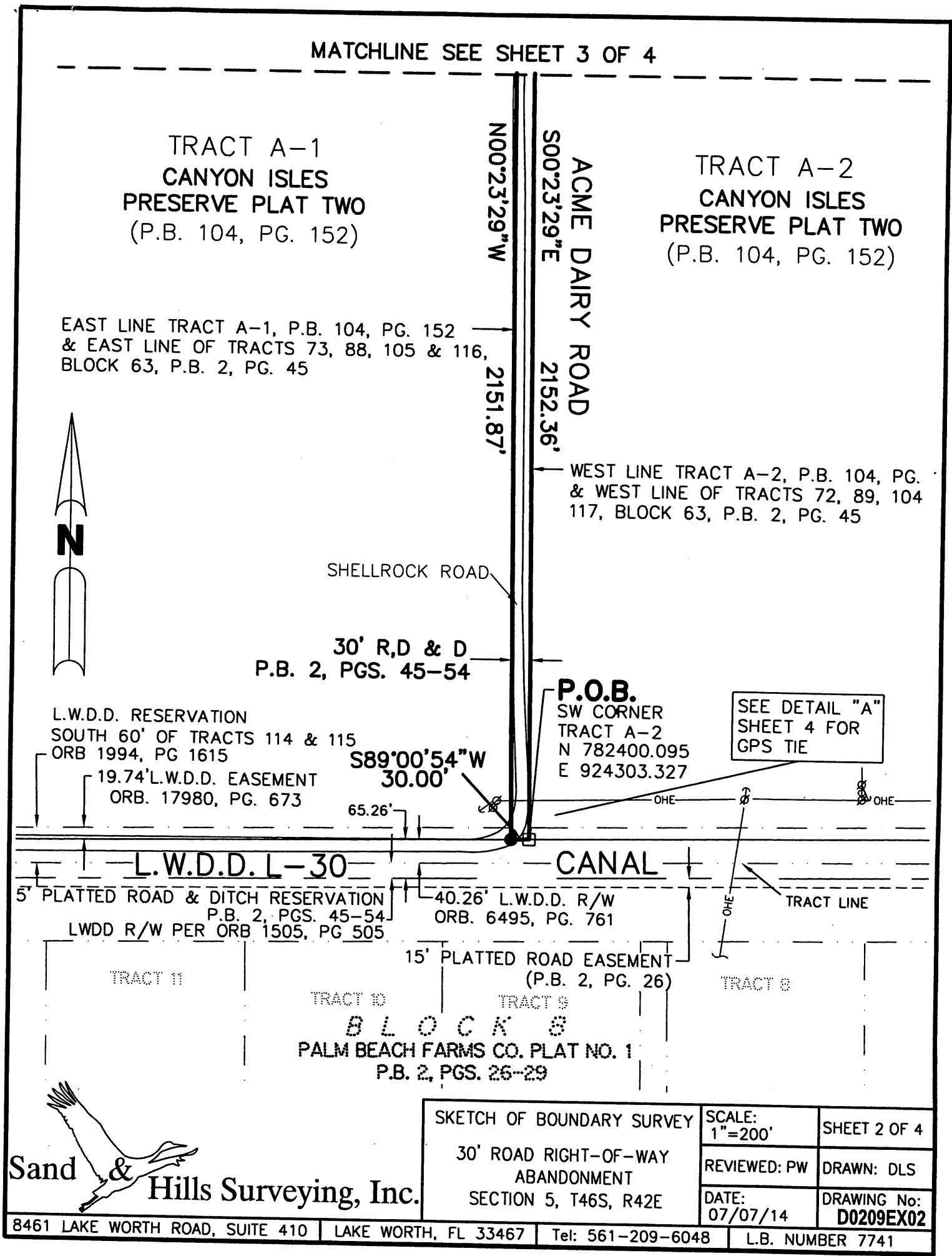
I HEREBY CERTIFY THAT THE BOUNDARY SURVEY AS SHOWN HEREON, MEETS THOSE STANDARDS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, FLORIDA STATUTES. THIS SKETCH AND DESCRIPTION OR COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA SURVEYOR AND MAPPER.

 DATE: 02/03/15  
PERRY C. WHITE REV.: 03/23/15  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 4213

SKETCH OF BOUNDARY SURVEY 30' ROAD RIGHT-OF-WAY ABANDONMENT SECTION 5, T46S, R42E	SCALE: NONE	SHEET 1 OF 4
	REVIEWED: PW	DRAWN: DLS
	DATE: 07/07/14	DRAWING No: D0209EX02

EXHIBIT A

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## Page 3 of 4

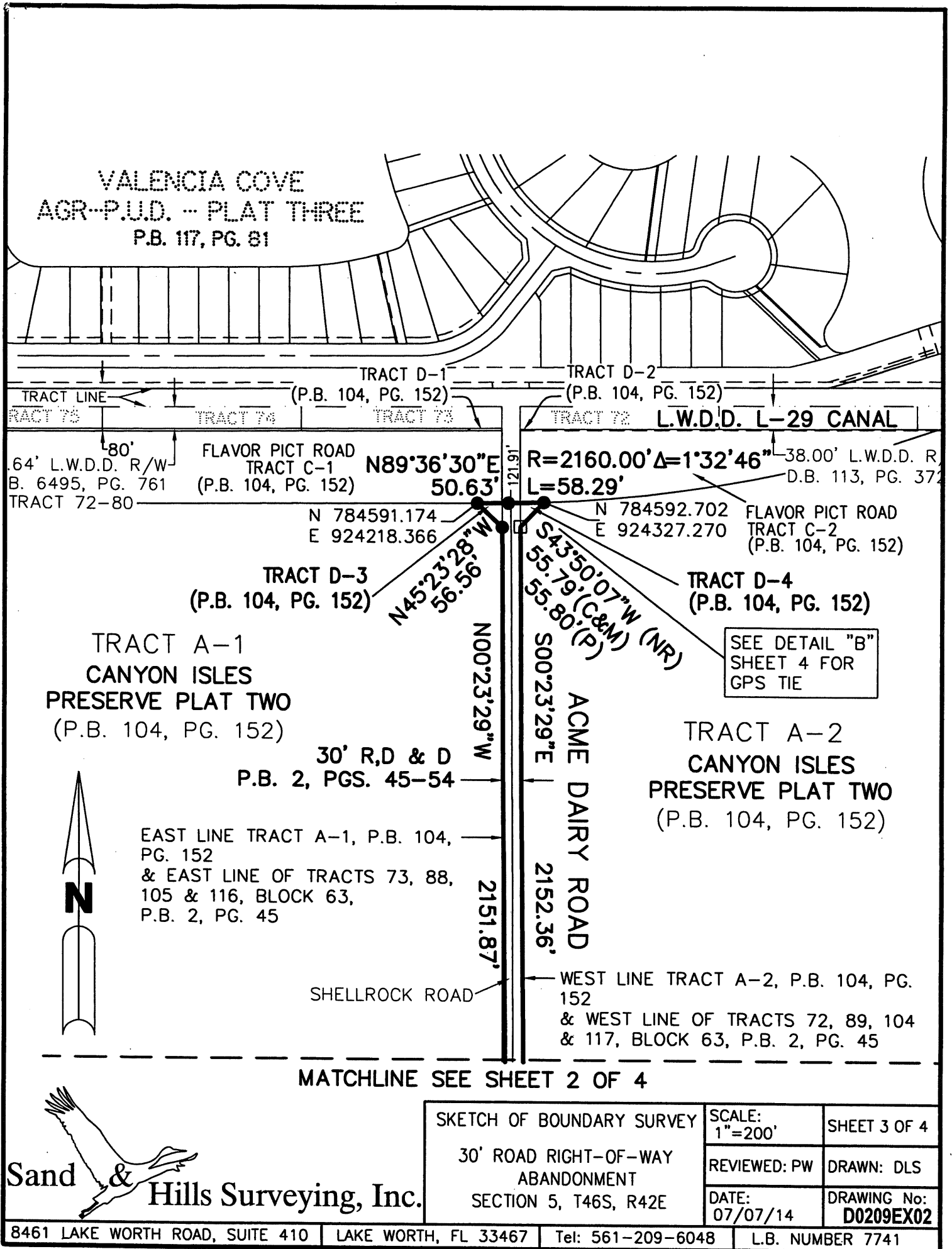


EXHIBIT A

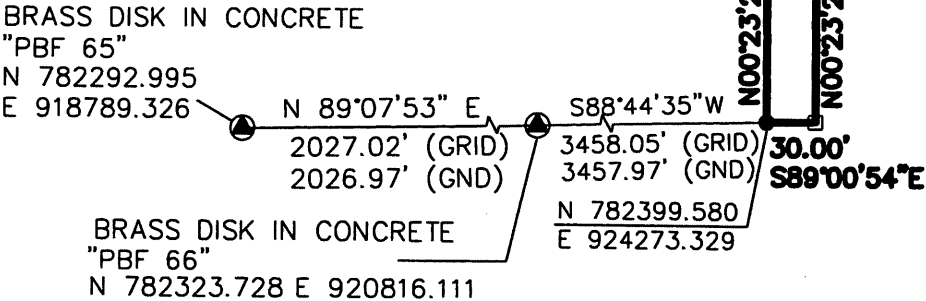
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LEGEND:

- L.B. - LICENSED BUSINESS
- L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
- O.R.B. - OFFICIAL RECORDS BOOK
- P.B.F.C. - PALM BEACH FARMS CO. PLAT NO. 3
- P.O.B. - POINT OF BEGINNING
- P.B. - PLAT BOOK
- PGS. - PAGES
- R/W - RIGHT-OF-WAY
- GND - GROUND
- RD&D - ROAD, DYKE & DITCH RESERVATION
- (C) - CALCULATED
- (M) - MEASURED
- (P) - PLATTED
- (N.R.) - NON-RADIAL
- OHE - OVERHEAD ELECTRIC
- ⊗ - POWER POLE
- - ANCHOR WIRE
- - FOUND PERMANENT REFERENCE MONUMENT LB6473
- - SET 5/8" IRON ROD WITH CAP LB7741

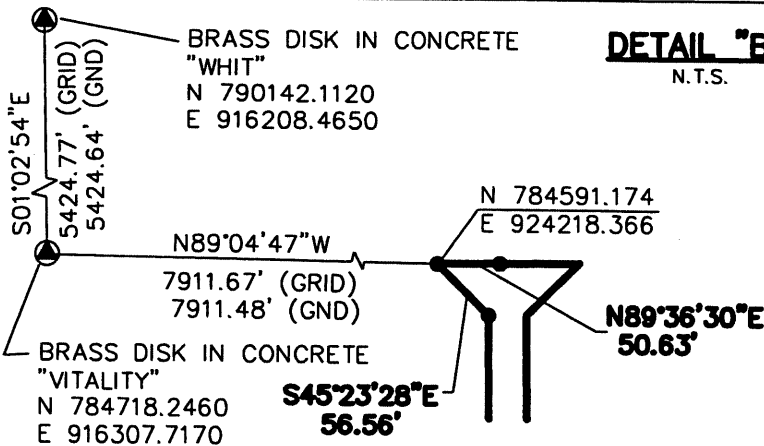
DETAIL "A"

N.T.S.



DETAIL "B"

N.T.S.



SURVEYOR'S REPORT:

1. THIS SKETCH OF BOUNDARY IS PREPARED FOR GL HOMES OF FLORIDA II, CORPORATION, AND IS NOT ASSIGNABLE.
2. THIS SURVEY MAP AND REPORT OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
4. THIS SKETCH IS THE PROPERTY OF SAND & HILLS SURVEYING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF SAND & HILLS SURVEYING, INC.
5. IMPROVEMENTS OTHER THAN THOSE SHOWN HEREON, WERE NOT LOCATED.
6. BOUNDARY DIMENSIONS SHOWN ARE PER DESCRIPTION AND FIELD MEASUREMENT UNLESS OTHERWISE NOTED.
7. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE GRID, NAD 83, EAST ZONE, 1990 ADJUSTMENT, THE LINE FORMED BETWEEN PALM BEACH COUNTY MONUMENTS "PBF 65" AND "PBF66", HAVING A BEARING OF N89°07'53"E.
8. DESCRIPTION WAS PREPARED FROM THIS SURVEY.
9. ALL INSTRUMENTS SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
10. EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY AS SHOWN HEREON ARE BASED ON THAT TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 4777993, EFFECTIVE DATE: JANUARY 29, 2015 AT 11:00 P.M.
11. THE STATE PLANE COORDINATE VALUES SHOWN HEREON DO NOT AGREE WITH THOSE COORDINATES SHOWN ON THE PLAT OF CANYON ISLES PRESERVE PLAT TWO. IT WAS FOUND THAT THOSE PLAT COORDINATES ARE CALCULATED TO BE 1.34' N AND 2.36' E OF THOSE DETERMINED BY THIS SURVEY.

STATE PLANE COORDINATE NOTES:

COORDINATES SHOWN ARE GRID DATUM = NAD 83 (1990 ADJUSTMENT).  
ZONE = FLORIDA EAST  
LINEAR UNIT = US SURVEY FEET  
COORDINATE SYSTEM = 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION  
ALL DISTANCES ARE GROUND  
SCALE FACTOR = 1.0000240  
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
NO ROTATION



SKETCH OF BOUNDARY SURVEY 30' ROAD RIGHT-OF-WAY ABANDONMENT SECTION 5, T46S, R42E	SCALE: NONE	SHEET 4 OF 4
	REVIEWED: PW	DRAWN: DLS
	DATE: 07/07/14	DRAWING No: D0209EX02