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[illegible]

\_\_\_\_\_

mm Recommended by: Donnell Kella 05/01/2015 [Signature]  
Division Director Date

Approved by: S. T. Webb 5/5/15  
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       | (\$25,987) | -0-  | -0-  | -0-  | -0-  |
| Program Income (County) | -0-        | -0-  | -0-  | -0-  | -0-  |
| In-Kind Match (County)  | -0-        | -0-  | -0-  | -0-  | -0-  |
| NET FISCAL IMPACT       | (\$25,987) | -0-  | -0-  | -0-  | -0-  |
| # ADDITIONAL FTE        |            |      |      |      |      |
| POSITIONS (Cumulative)  |            |      |      |      |      |

Is Item Included in Current Budget?    Yes    No

Budget Acct No.: Fund 3500    Dept. 800    Unit 8005    Rev Src 6425

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund  
Abandonment Ordinance Fees

C. Departmental Fiscal Review: Alicia Kovalainen

III. REVIEW COMMENTS

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

Sherry Brown  
A/D SC    ASD    OFMB    JH  
5/5    5/5    5/5

D. J. Jacoboff 5/7/15  
Contract Dev. and Control  
5-7-15 B. Scheele

B. Approved as to Form  
and Legal Sufficiency:

Mark R. Little 5/11/15  
Assistant County Attorney

C. Other Department Review:

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

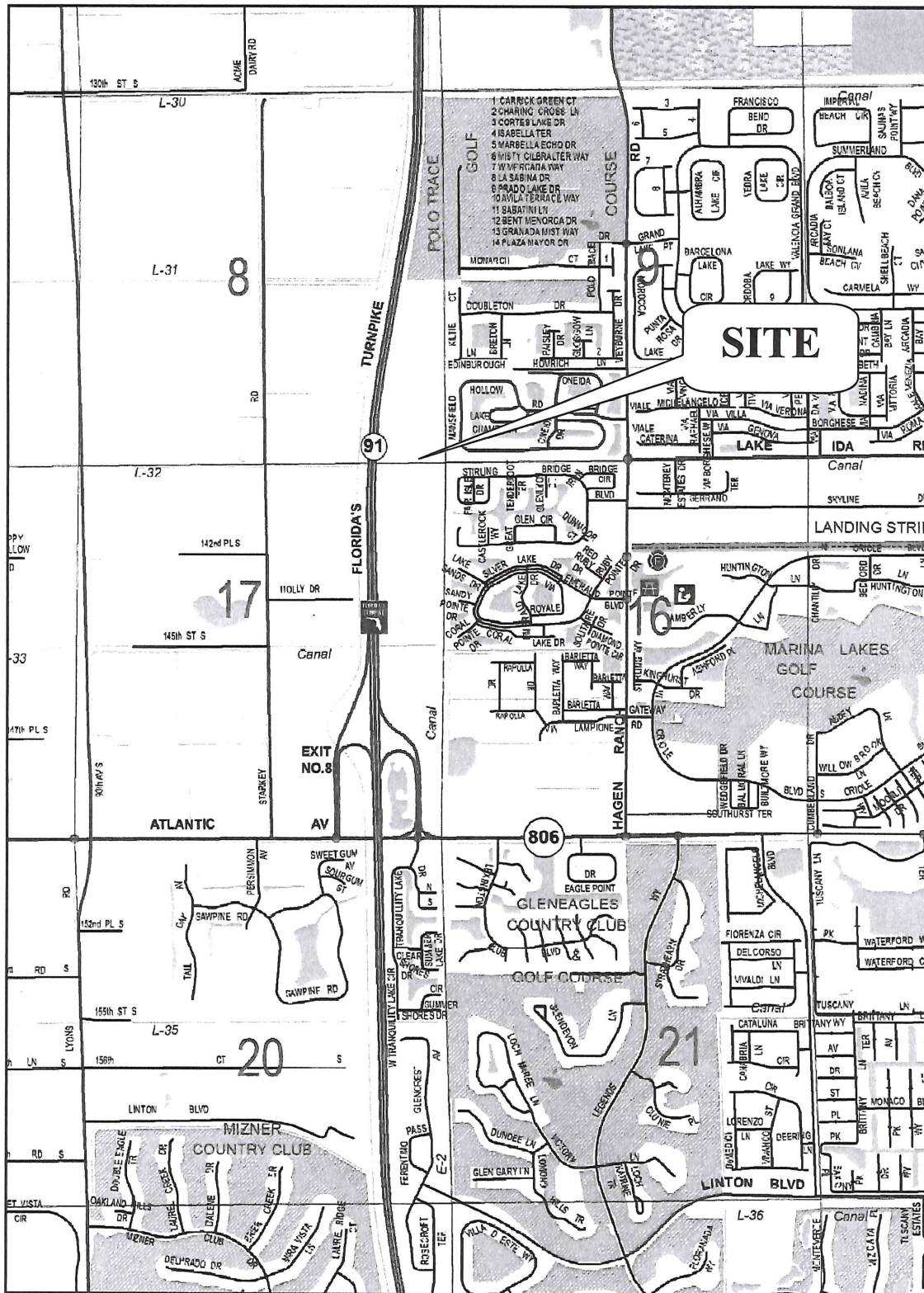
This summary is not to be used as a basis for payment.

**Background and Policy Issues (Continued from Page 1):**

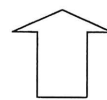
**Privilege Fee Statement:** The petition is subject to a privilege fee of \$25,986.05. The calculations are as follows:

|   |                      |
|---|----------------------|
| <b>Total square feet of Right-of-Way to be abandoned</b>          | <b>40,096</b>        |
| <b>Total square feet subject to Privilege Fee</b>                 | <b>40,096</b>        |
| <b>Average sq. ft. value of parcels abutting the right of way</b> | <b>\$0.86</b>        |
| <b>Overall value</b>  | <b>\$34,482.56</b>   |
| <b>80% of value</b>   | <b>\$27,586.05</b>   |
| <b>Less Filing Fee</b>  | <b>- \$ 1,600.00</b> |
| <b>Total Privilege Fee</b>  | <b>\$25,986.05</b>   |

f:\land\_dev\board actions\bdaction-abandonments\2015\ab33105 atlantic commons row ph 05-19-15\ab33105 atlantic commons row ph 05-19-15.doc



## LOCATION SKETCH



N (Not to scale)

ABANDONMENT OF PORTIONS OF UNIMPROVED  
30.00 FOOT WIDE RIGHTS-OF-WAY IN SECTIONS 8 &  
17, TOWNSHIP 42 SOUTH, RANGE 42 EAST,  
PALM BEACH FARMS CO. PLAT NO. 1,  
PLAT BOOK 2, PAGES 26 THROUGH 28,  
PUBLIC RECORDS. PALM BEACH COUNTY

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

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ANY PUBLIC INTEREST IN THAT PORTION OF THE 30 FOOT WIDE UNIMPROVED RIGHT-OF-WAY EASEMENT FALLING IN TRACTS 94, 95, 96, 97, 98 AND 99 IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28; AND THAT PORTION OF THE 30 FOOT WIDE RIGHT-OF-WAY EASEMENT FALLING IN TRACTS 1, 2 AND 3 IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AND IN TRACTS 126, 127 AND 128 IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, 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 Atlantic Commons Associates LLP, 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 that portion of the 30.00 foot wide unimproved right-of-way easement falling in Tracts 94, 95, 96, 97, 98 and 99 in Section 8, Township 46 South, Range 42 East, according to the plat of Palm Beach Farms Co. Plat No. 1, as recorded in Plat Book 2, Pages 26 through 28, as set forth on the sketch and legal description set forth in Exhibit A attached hereto and incorporated herein by reference, and that portion of the 30.00 foot wide right-of-way easement falling in Tracts 1, 2 and 3 in Section 17, Township 46 South, Range 42 east, and in Tracts 126, 127 and 128 in Section 8, Township 46 South, Range 42 East, according to the plat of Palm Beach Farms Co. Plat No. 1, as recorded in Plat Book 2, Pages 26 through 28, all of the Public Records of Palm Beach County, Florida, as set forth on the sketch and legal description set forth in

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

Exhibit B attached hereto and incorporated herein by reference; and

**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 unimproved road rights-of-way are hereby abandoned and closed as rights-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 rights-of-way, more fully described in the legal description and sketch as shown in Exhibit A and Exhibit B 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



947 Clint Moore Road  
Boca Raton, Florida 33487

Tel: (561) 241-9988  
Fax: (561) 241-5182

**EXHIBIT #1**  
**BOUNDARY SURVEY**  
**ATLANTIC COMMONS PLAT FIVE**  
**RIGHT-OF-WAY EASEMENT ABANDONMENT (A)**

**LEGAL DESCRIPTION**


THAT PORTION OF THE 30.00 FOOT WIDE RIGHT-OF-WAY EASEMENT FALLING IN TRACTS 94, 95, 96, 97, 98 AND 99 IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT OF "PALM BEACH FARMS CO. PLAT NO. 1", AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT B-7 OF "ATLANTIC COMMONS - PLAT THREE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 117 AT PAGES 143 THROUGH 146 OF SAID PUBLIC RECORDS; THENCE NORTH 01° 24' 05" WEST, ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID TRACT B-7, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY, A DISTANCE OF 950.19 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING SAID EAST RIGHT-OF-WAY LINE, HAVING A RADIUS OF 11309.16 FEET AND A CENTRAL ANGLE OF 10° 53' 38", A DISTANCE OF 2150.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG THE ARC OF SAID CURVE, ALSO BEING SAID EAST RIGHT-OF-WAY LINE, HAVING A RADIUS OF 11309.16 FEET AND A CENTRAL ANGLE OF 00° 05' 22", A DISTANCE OF 17.67 FEET TO THE POINT OF TANGENCY; THENCE NORTH 09° 34' 55" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 12.76 FEET; THENCE NORTH 89° 53' 14" EAST, ALONG A LINE 15.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 94, 95 AND 96, A DISTANCE OF 762.49 FEET; THENCE SOUTH 00° 43' 59" EAST, ALONG A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACTS 96 AND 97, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89° 53' 14" WEST, ALONG A LINE 15.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACTS 94, 95 AND 96, A DISTANCE OF 767.93 FEET TO THE POINT OF BEGINNING.

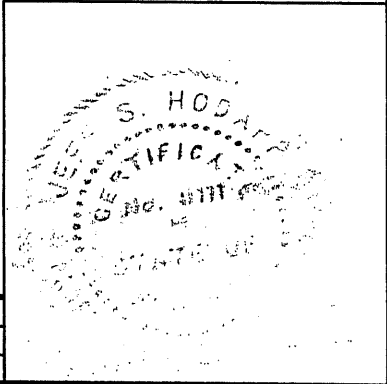
SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 22,956 SQUARE FEET, MORE OR LESS.

**CERTIFICATION**

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

  
JEFF S. HODAPP  
SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS5111

LAST DATE OF FIELD  
WORK: 12-01-2014



|                          |                 |
|--------------------------|-----------------|
| Name: ATLANTIC COMMONS 5 | DATE: 12/1/2014 |
| JOB NO. 08156            | DWG BY: JSH     |
| CK'D By: JEK             | SHEET 1 OF 3    |



947 Clint Moore Road  
Boca Raton, Florida 33487

Tel: (561) 241-9988  
Fax: (561) 241-5182

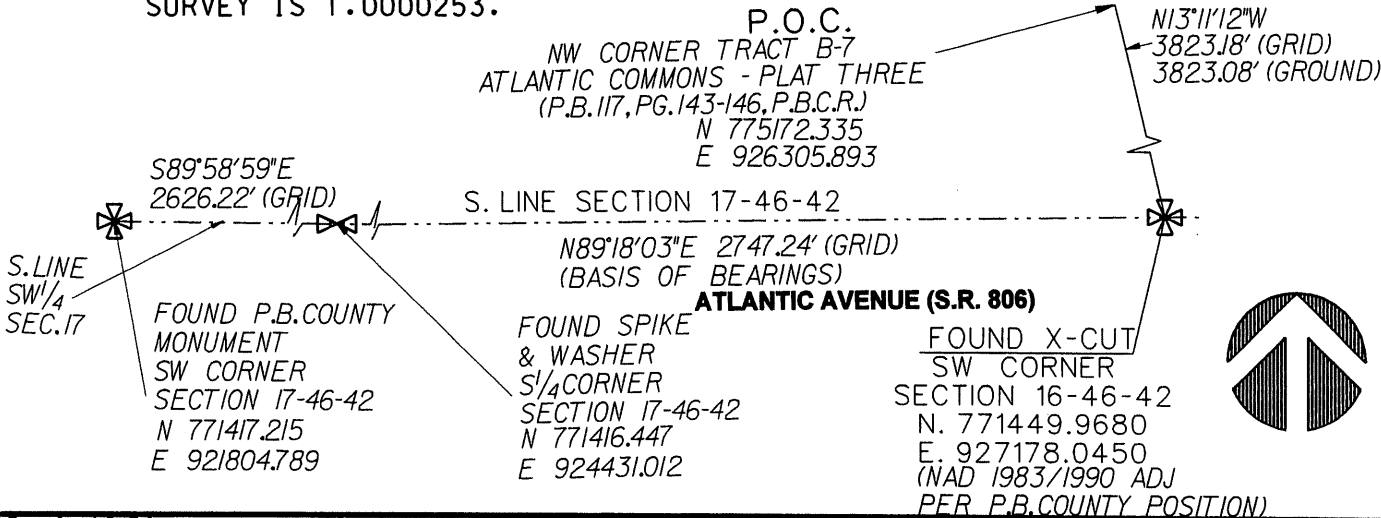
BOUNDARY SURVEY

ABBREVIATIONS

|          |   |                                   |
|----------|---|-----------------------------------|
| D.E.     | = | DRAINAGE EASEMENT                 |
| L.B.     | = | LICENSED BUSINESS                 |
| L.S.     | = | LICENSED SURVEYOR                 |
| L.W.D.D. | = | LAKE WORTH DRAINAGE DISTRICT      |
| O.R.B.   | = | OFFICIAL RECORDS BOOK             |
| P.O.B.   | = | POINT OF BEGINNING                |
| P.O.C.   | = | POINT OF COMMENCEMENT             |
| P.B.     | = | PLAT BOOK                         |
| P.B.C.R. | = | PALM BEACH COUNTY RECORDS         |
| PG.      | = | PAGE                              |
| P.S.M.   | = | PROFESSIONAL SURVEYOR<br>& MAPPER |
| R/W      | = | RIGHT-OF-WAY                      |
| U.E.     | = | UTILITY EASEMENT                  |
| B.E.     | = | BUFFER EASEMENT                   |

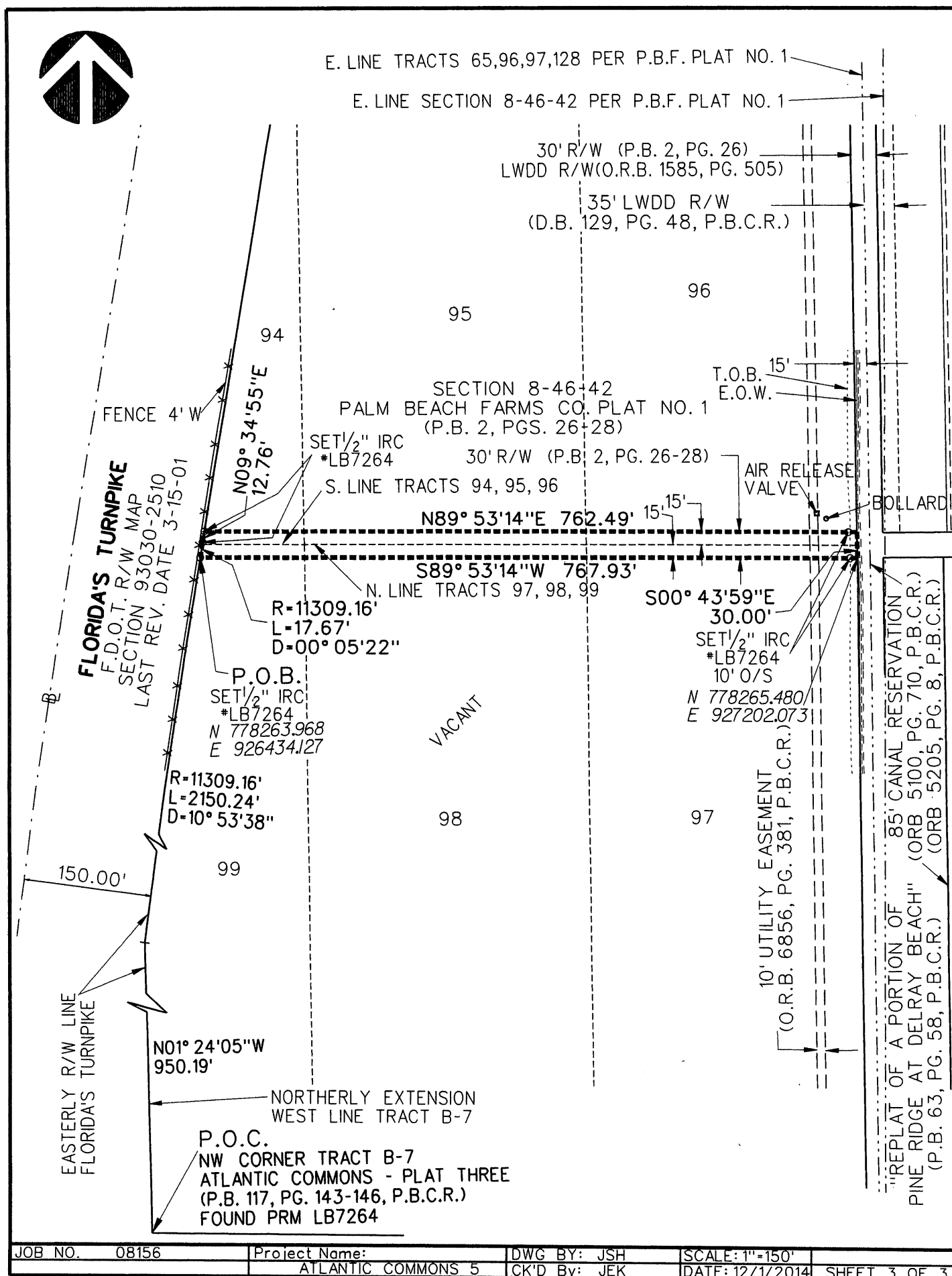
NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. EASEMENTS AND RIGHTS-OF-WAY DESCRIBED IN THE SCHEDULE B EXCEPTIONS OF TITLE INSURANCE COMMITMENT NUMBER 4789827 PREPARED BY CHICAGO TITLE INSURANCE COMPANY, HAVING AN EFFECTIVE DATE OF AUGUST 8, 2014 HAVE BEEN SHOWN HEREON.
3. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 17-46-42 HAVING A BEARING OF NORTH 89°18'03" EAST, AS DETERMINED FROM STATE PLANE COORDINATES AS ESTABLISHED BY THE PALM BEACH COUNTY ENGINEERING DIVISION BASED ON THE FLORIDA COORDINATE SYSTEM, EAST ZONE, GRID NORTH, 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION, 1990 ADJUSTMENT. POSITIONAL ACCURACY MEETS OR EXCEEDS A 1:10,000 MINIMUM RELATIVE DISTANCE ACCURACY. ALL DISTANCES SHOWN ARE GROUND DISTANCES, UNLESS LABELED OTHERWISE. SCALE FACTOR USED FOR THIS SURVEY IS 1.0000253.



|               |                  |              |                              |
|---------------|------------------|--------------|------------------------------|
| JOB NO. 08156 | Project Name:    | DWG BY: JSH  | SCALE: N/A                   |
|               | ATLANTIC COMMONS | CK'D By: JEK | DATE: 12/1/2014 SHEET 2 OF 3 |

## Page 3 of 3



947 Clint Moore Road  
Boca Raton, Florida 33487



Tel: (561) 241-9988  
Fax: (561) 241-5182

EXHIBIT #1  
BOUNDARY SURVEY

ATLANTIC COMMONS PLAT FIVE  
RIGHT-OF-WAY EASEMENT ABANDONMENT (B)

LEGAL DESCRIPTION

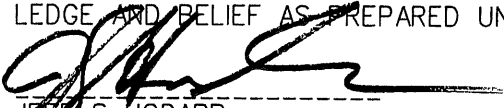
THAT PORTION OF THE 30.00 FOOT WIDE RIGHT-OF-WAY EASEMENT FALLING IN TRACTS 1, 2, AND 3 IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AND IN TRACTS 126, 127 AND 128 IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT OF "PALM BEACH FARMS CO. PLAT NO. 1", AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 26,140 SQUARE FEET, MORE OR LESS.

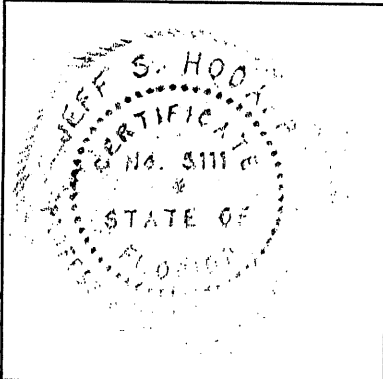
CERTIFICATION

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JEFF S. HODAPP  
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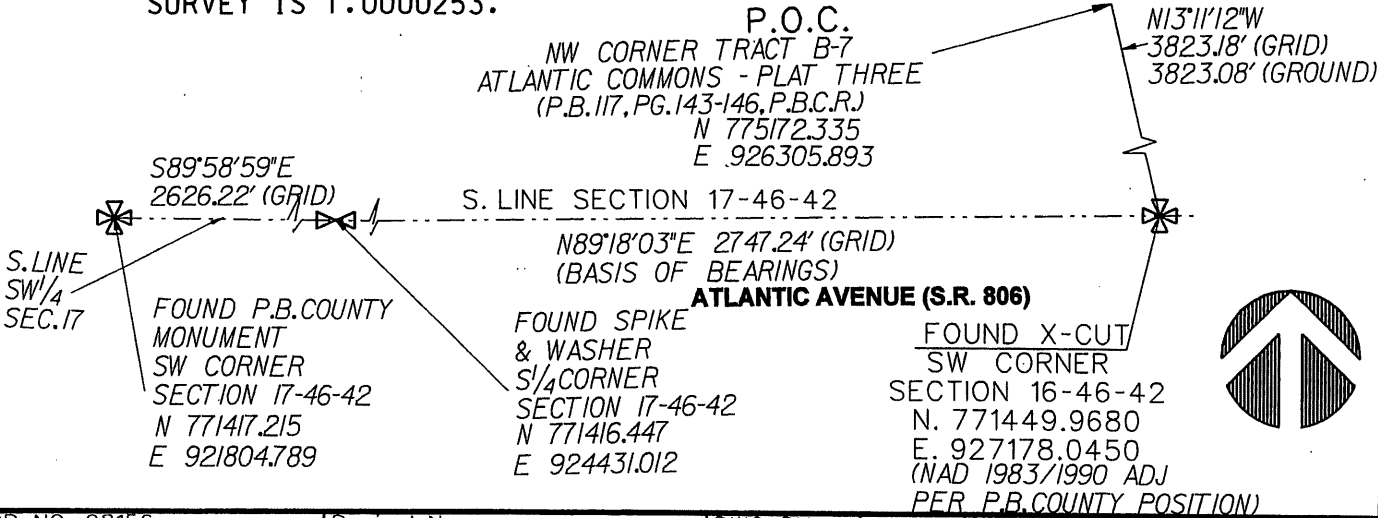
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| R/W      | = | RIGHT-OF-WAY                      |
| U.E.     | = | UTILITY EASEMENT                  |
| B.E.     | = | BUFFER EASEMENT                   |

NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. EASEMENTS AND RIGHTS-OF-WAY DESCRIBED IN THE SCHEDULE B EXCEPTIONS OF TITLE INSURANCE COMMITMENT NUMBER 4789827 PREPARED BY CHICAGO TITLE INSURANCE COMPANY, HAVING AN EFFECTIVE DATE OF AUGUST 8, 2014 HAVE BEEN SHOWN HEREON.
3. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 17-46-42 HAVING A BEARING OF NORTH 89°18'03" EAST, AS DETERMINED FROM STATE PLANE COORDINATES AS ESTABLISHED BY THE PALM BEACH COUNTY ENGINEERING DIVISION BASED ON THE FLORIDA COORDINATE SYSTEM, EAST ZONE, GRID NORTH, 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION, 1990 ADJUSTMENT. POSITIONAL ACCURACY MEETS OR EXCEEDS A 1:10,000 MINIMUM RELATIVE DISTANCE ACCURACY. ALL DISTANCES SHOWN ARE GROUND DISTANCES, UNLESS LABELED OTHERWISE. SCALE FACTOR USED FOR THIS SURVEY IS 1.0000253.



|               |                  |              |                              |
|---------------|------------------|--------------|------------------------------|
| JOB NO. 08156 | Project Name:    | DWG BY: JSH  | SCALE: N/A                   |
|               | ATLANTIC COMMONS | CK'D By: JEK | DATE: 12/1/2014 SHEET 2 OF 3 |

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