Agenda Item #: 3-C-4

PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	March 14, 2017	[X]	Consent Ordinance	[]	Regular
Department: Submitted By:	Engineering and Public Works Engineering and Public Works	[]	Orumance	Li	Public Hearing
Submitted For:	Right-of-Way Acquisition Section)n 			
	I. EXECU	<u> FIVE</u>	<u>BRIEF</u>		
restrictive coven	tle: Staff recommends motion ants made by Jane C. Kreusler, or request of Palm Beach County (C	et al., i	recorded in Off	ease of ficial Re	a declaration of ecord Book 4002
the declaration's development con westbound right	pproval of this release will allow encumbrance from their title. T adition to convey to the County turn lane at Military Trail and hanger requires it. This action will h	he cur , right as requ	rent owner has t-of-way on No tested that the d	compli orthlake leclarati	ed with a current Boulevard for a on be released as
future road right- right-of-way and	d Justification: In 1983, the Court-of-way for Northlake Boulevard. has requested that the County release the declaration, and recomme	The cease th	current owner he declaration. C	as conv	eyed the required
Attachments:					
1. Location Map 2. Release of Dec	claration of Restrictive Covenants				
	mle				· ·
Recommended I	The state of the s	la C	<u> </u>		1/18/17
) Depa	rtmen	t Director		Date '
Approved by:	- Pare	Joh.	NCM	21	9/14
"	Assistant C	ounty	Administrator	r	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$ -0-</u>				<u>-0-</u>
Operating Costs	0-				<u>-0-</u>
External Revenues					<u>-0-</u>
Program Income (County)			0-		
In-Kind Match (County)					
NET FISCAL IMPACT	<u>\$ **</u>				
# ADDITIONAL FTE					
POSITIONS (Cumulative)		4	1		

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:	•	Muchovalainen)

III. REVIEW COMMENTS

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

OFMB

B. Approved as to Form and Legal Sufficiency:

. H Jal 1/26/17.

C. Other Department Review:

Department Director

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



Location Map

Return to: Right-of-Way Acquisition Section

Post Office Box 21229

West Palm Beach, Florida 33416 Attention: Kaye Weichel Account No.: 1010 w/c 1066

RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS

Whereas, on July 27, 1983 a Declaration of Restrictive Covenants for Northlake Boulevard and Military Trail was recorded in Official Record Book 4002, Page 686, Public Records of Palm Beach County, Florida; and,

Whereas, CVS 3269 FL, L.L.C., a Delaware limited liability company (Current Owner), the successor in interest to Jane C. Kreusler, et al. (Declarants) of the Declaration of Restrictive Covenants (Declaration) has requested a release of the restrictive covenants granted therein for the purpose of clearing the title; and,

Whereas, the Current Owner was conditioned to convey to the County right-of-way for a right turn lane on Northlake Boulevard at Military Trail and has filed a plat titled "CVS Northlake" in Plat Book 121, page 12; and,

Whereas, the Current Owner also conveyed the right-of-way in a Warranty Deed recorded in Official Record Book 28119, page 1366 to the County for Northlake Boulevard; and,

Whereas, the Current Owner also conveyed the right-of-way in Plat Book 121, page 12 to the Florida Department of Transportation for Military Trail; and

Whereas, the County Engineering Department has determined that the right-of-way reserved in the Declaration is no longer required; and,

NOW, THEREFORE, in consideration of the recitals set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County does hereby release the Declaration of Restrictive Covenants as described in Official Record Book 4002, Page 686.

IN WITNESS WHEREOF, Palm Beach County has caused this Release of Declaration of Restrictive Covenants to be executed on this day of, 2017.			
ATTEST:	PALM BEACH COUNTY, a political subdivision of the State of Florida		
SHARON R. BOCK,	•		
Clerk & Comptroller	BY ITS BOARD OF COUNTY COMMISSIONERS		
By:	By:		
Deputy Clerk	Paulette Burdick, Mayor		
APPROVED AS TO FORM AND			
LEGAL SUFFICIENCY:			
By: Assistant County Attorney	_		