

Agenda Item #: 4B-2

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

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Meeting Date: June 20, 2017 [] Consent [] Regular
[] Workshop [X] Public Hearing

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

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a resolution to abandon a 30 ft. by 330 ft. portion and an abutting 60 ft. by +/-158 ft. portion of Morikami Park Road right-of-way (ROW) as shown by Official Record Book (ORB) 2233, Page 1963 and ORB 2215, Page 454, Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of this resolution will eliminate the public dedications that are in conflict with future development plans developed by Palm Beach County Facilities Development and Operations Department (FDO). The petition site is located west of Jog Road and south of Linton Boulevard. District 5 (LBH)

Background and Policy Issues: FDO wants to clear these encumbrances to allow for development of the site. Abandoning these portions of rights-of-way will not affect access to the site or any other property along Morikami Park Road.

Reviewing agencies and utility service providers have no objection to the vacation. As provided in Palm Beach County Code Chapter 22. Article III, Road Abandonment and Plat Vacation (Ordinance 2002-034), governmental agencies are exempt from the privilege fee. The Engineering Department advertised this petition for a public hearing on Sunday, June 4, 2017.

- Attachments:**
1. Location Sketch
2. Resolution with Exhibit 'A'

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Recommended by: *A. J. Webb* 5/27/17
Department Director Date

Approved by: *Kare Johnson* 6/1/17
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
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-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No

Budget Account No:

Fund Dept Unit Object

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:

[Signature] 5/24/17
OFMB 5/23

[Signature] 6/11/17
Contract Dev. and Control
5/31/17

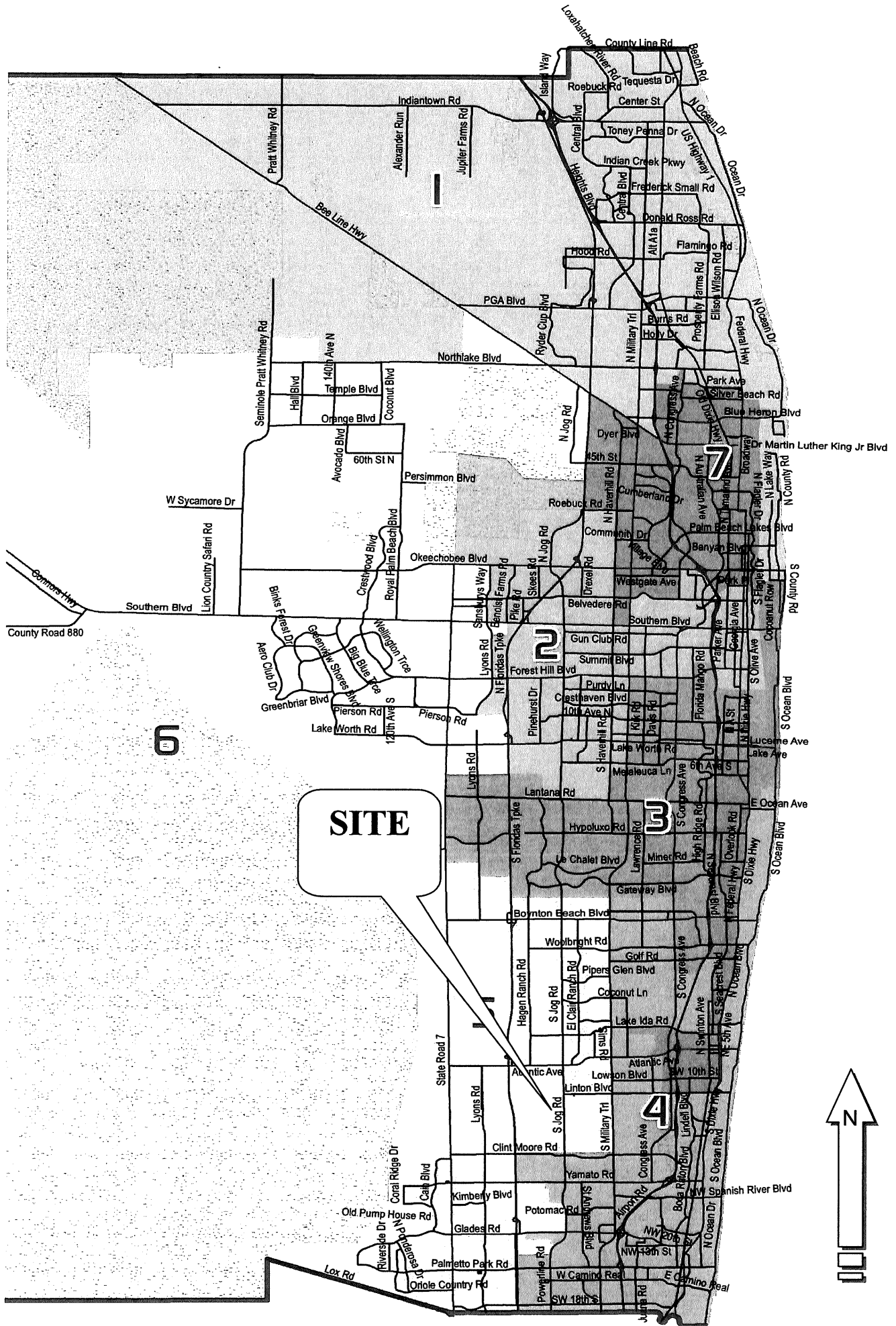
B. Approved as to Form and Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION SKETCH

1 INCH = 4 MILES

ABANDONMENT OF A 30 FT. X 330 FT. PORTION AND AN ABUTTING 60 FT. X 157.74 FT. PORTION OF MORIKAMI PARK ROAD RIGHT-OF-WAY IN ORB 2233, PG 1963 AND ORB 2215, PG 454, PUBLIC RECORDS OF PALM BEACH COUNTY

RESOLUTION NO. R-2017-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING/VACATING A 30 FT. BY 330 FT. PORTION AND AN ABUTTING 60 FT. BY +/-158 FT. PORTION OF MORIKAMI PARK ROAD RIGHT-OF-WAY AS SHOWN BY ORB 2233, PG 1963 AND ORB 2215, PG 454, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners (BCC) of Palm Beach County, Florida, 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 the Palm Beach County Facilities Development and Control, called a public hearing to be held in the BCC's Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on June 20, 2017, 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 the 30 ft. by 330 ft. portion and an abutting 60 ft. by +/-158 ft. portion of Morikami Park Road right-of-way as set forth on the sketch and legal description set forth in Exhibit A attached hereto and incorporated herein by reference, all of the Public Records of Palm Beach County, Florida; 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 June 4, 2017; and

WHEREAS, the BCC 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 rights-of-way are hereby abandoned and closed as rights-of-way and

RESOLUTION NO. R-2017_____

the BCC does hereby renounce and disclaim any right or interest of the County and the Public in and to the portions of the rights-of-way, more fully described in the legal descriptions and sketches 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-2017-_____

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:

Commissioner Paulette Burdick, Mayor

Commissioner Melissa McKinlay, Vice Mayor

Commissioner Hal R. Valeche

Commissioner Dave Kerner

Commissioner Steven L. Abrams

Commissioner Mary Lou Berger

Commissioner Mack Bernard

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2017.

**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

Page 1 of 7

LEGAL DESCRIPTION:

A PORTION OF THE LAND DESCRIBED IN RIGHT-OF-WAY DEEDS TO PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RECORDED IN OFFICIAL RECORD BOOK 2233, PAGE 1963, AND OFFICIAL RECORD BOOK 2215, PAGE 454, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 27, AND IN THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RIGHT-OF-WAY PARCEL 1:

THE SOUTH 30 FEET OF THE EAST 330 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA;

CONTAINING 9,900 SQUARE FEET (0.23 ACRES), MORE OR LESS.

TOGETHER WITH RIGHT-OF-WAY PARCEL 2:

THAT PORTION OF THE NORTH 30 FEET OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA,
AND

THAT PORTION OF THE SOUTH THIRTY FEET (S 30') OF THE WEST THREE QUARTER (W 3/4) OF THE NORTH WEST ONE-QUARTER (NW 1/4) OF THE SOUTH WEST ONE-QUARTER (SW 1/4) OF SECTION 27, TOWNSHIP 46 SOUTH, RANGE 42 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF ROSLYN AND RAYMOND SLOMIN CAMPUS PLAT, RECORDED IN PLAT BOOK 117, PAGE 34, OF SAID PUBLIC RECORDS, LYING ON THE NORTH RIGHT-OF-WAY OF MORIKAMI PARK ROAD, RECORDED IN OFFICIAL RECORD BOOK 2215, PAGE 454, AS SHOWN ON SAID PLAT;

THENCE ALONG SAID NORTH RIGHT-OF-WAY, S89°23'51"W FOR 177.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY, S89°23'51"W FOR 157.74 FEET TO THE WEST LINE OF SAID SECTION 27, AS SHOWN ON SAID PLAT;

THENCE ALONG SAID WEST LINE, S00°15'39"E FOR 60.00 FEET TO THE SOUTH RIGHT-OF-WAY OF MORIKAMI PARK ROAD, RECORDED IN OFFICIAL RECORD BOOK 2233, PAGE 1963, OF SAID PUBLIC RECORDS;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY, N89°23'51"E FOR 158.10 FEET;

THENCE N00°36'09"W FOR 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,475 SQUARE FEET (0.22 ACRES), MORE OR LESS.

TOTAL AREA = SEE TABLE ON SHEET 7 OF 7



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

MORIKAMI PARK ROAD
PARTIAL R/W ABANDONMENT

PROJ. No. 15-014

DRAWN: MB

SKETCH OF SPECIFIC
PURPOSE SURVEY

SCALE: NONE

DATE: JUNE 2015

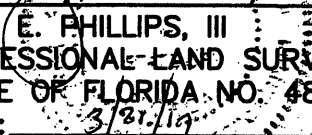
SHEET 1 OF 7


EXHIBIT A

Page 2 of 7

SURVEY REPORT:

1. THIS IS A SPECIFIC PURPOSE SURVEY, PREPARED IN ACCORDANCE WITH THE APPLICABLE PORTIONS OF THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050 – 5J-17.052, FLORIDA ADMINISTRATIVE CODE.
THE FIELD WORK WAS COMPLETED ON JUNE 8, 2015.
THIS IS NOT A BOUNDARY SURVEY.
2. THE SURVEY WAS BASED ON A BOUNDARY SURVEY PREPARED BY BROWN & PHILLIPS, INC., FOR PALM BEACH COUNTY, JOB NUMBER 14-078, MORIKAMI PARK, DATED 12/17/14.
THE BOUNDARY SURVEY WAS PREPARED REFERENCING A TITLE COMMITMENT FURNISHED BY PALM BEACH COUNTY, PREPARED BY CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT, FILE NO.201411002, WITH AN EFFECTIVE DATE OF OCTOBER 19, 2014 AT 8:00AM, ISSUED BY SOUTHEAST GUARANTY & TITLE, INC.
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY BROWN & PHILLIPS, INC.
THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
3. BEARINGS ARE BASED ON N01°47'27"E (GRID, NAD 83, 1990 ADJUSTMENT) BETWEEN PALM BEACH COUNTY BRASS DISKS "SLANT" AND "CAMDEN".
4. THIS SURVEY WAS PREPARED FOR THE SPECIFIC PURPOSE OF DELINEATING EXISTING TOPOGRAPHIC FEATURES IN THE AREA OF A R/W ABANDONMENT APPLICATION FOR A PORTION OF MORIKAMI PARK ROAD.
THIS SURVEY IS NOT VALID FOR ANY OTHER USE.
5. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. THIS SURVEY WAS PREPARED FOR THE PARTIES LISTED BELOW AND IS NOT ASSIGNABLE:
– PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA
THE USE OF THE DATA SHOWN HEREON BY ANY OTHER PARTY IS PROHIBITED.
7. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=50',
ON AN 8-1/2"x 11" SHEET.
8. © COPYRIGHT 2015 BY BROWN & PHILLIPS, INC.
REPRODUCTIONS OF THIS SURVEY ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.


JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA NO. 4826
DATE: 3/21/15


E-Mail: info@brown-phillips.com
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MORIKAMI PARK ROAD
PARTIAL R/W ABANDONMENT

PROJ. No. 15-014

DRAWN: MB

SKETCH OF SPECIFIC
PURPOSE SURVEY

SCALE: NONE

DATE: JUNE 2015

SHEET 2 OF 7

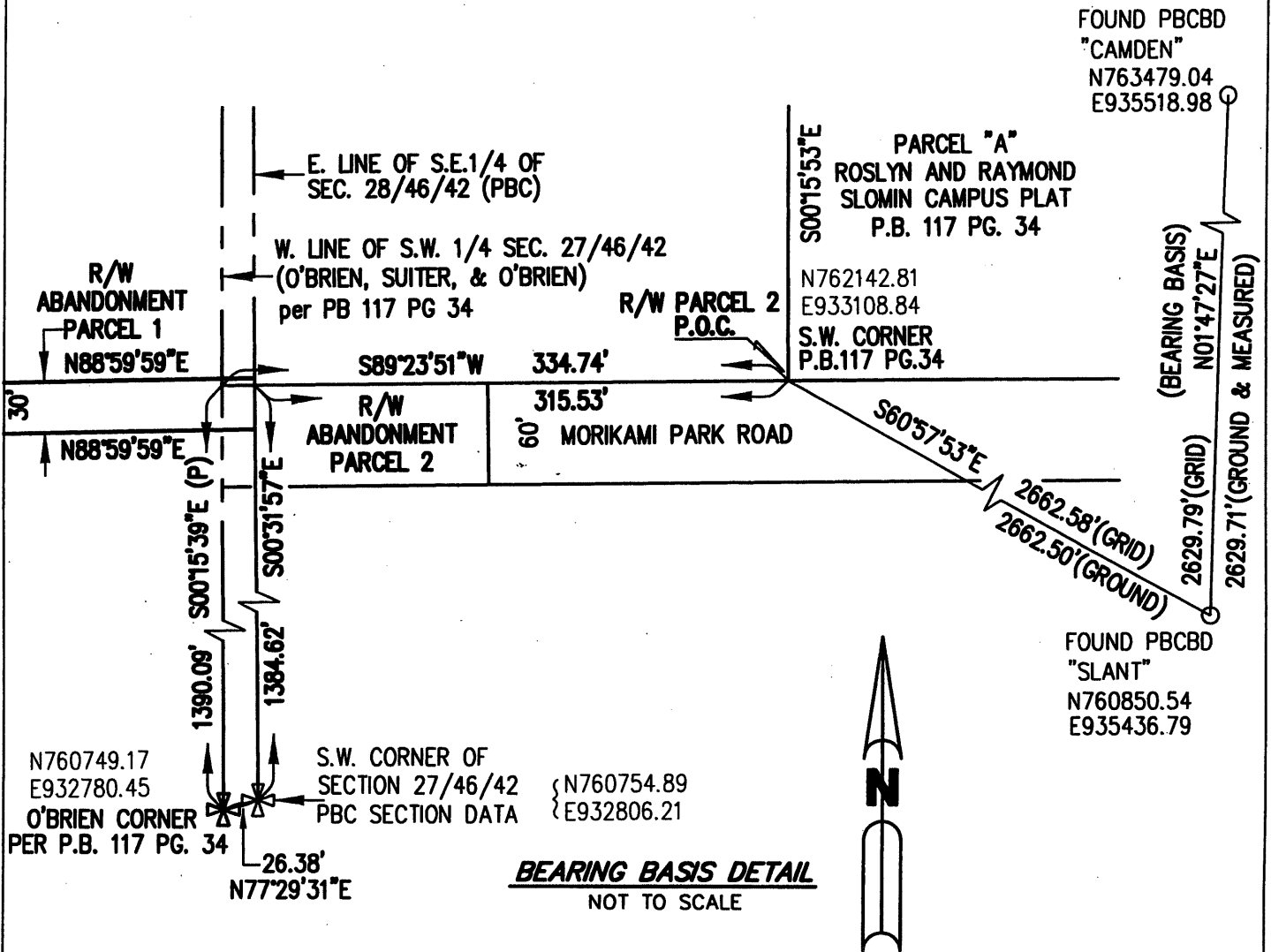
EXHIBIT A

Page 3 of 7

SURVEY REPORT: (CONTINUED)

9. STATE PLANE COORDINATES:

- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM - NAD 83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND |
| C. ZONE - FLORIDA EAST | H. SCALE FACTOR - 1.000029 |
| D. LINEAR UNIT - US SURVEY FOOT | I. GROUND DISTANCE X SCALE FACTOR=GRID DISTANCE |
| E. COORDINATE SYSTEM 1983 STATE PLANE | J. ROTATION EQUATION: NONE |




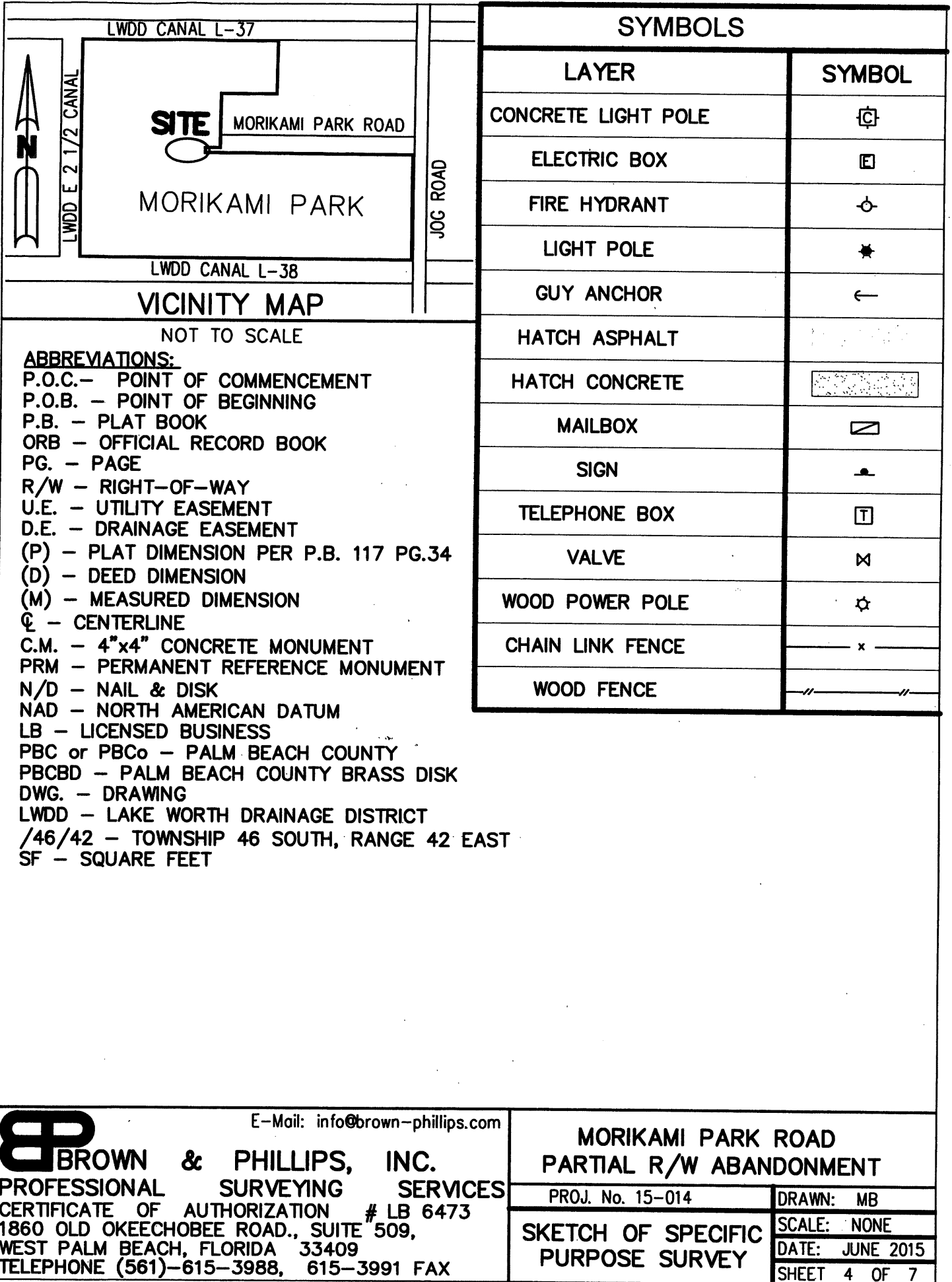
 BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX	E-Mail: info@brown-phillips.com	
	MORIKAMI PARK ROAD PARTIAL R/W ABANDONMENT	
	PROJ. No. 15-014	DRAWN: MB
	SKETCH OF SPECIFIC PURPOSE SURVEY	SCALE: NONE
DATE: JUNE 2015		
SHEET 3 OF 7		

EXHIBIT A

Page 4 of 7



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SKETCH OF SPECIFIC
 PURPOSE SURVEY

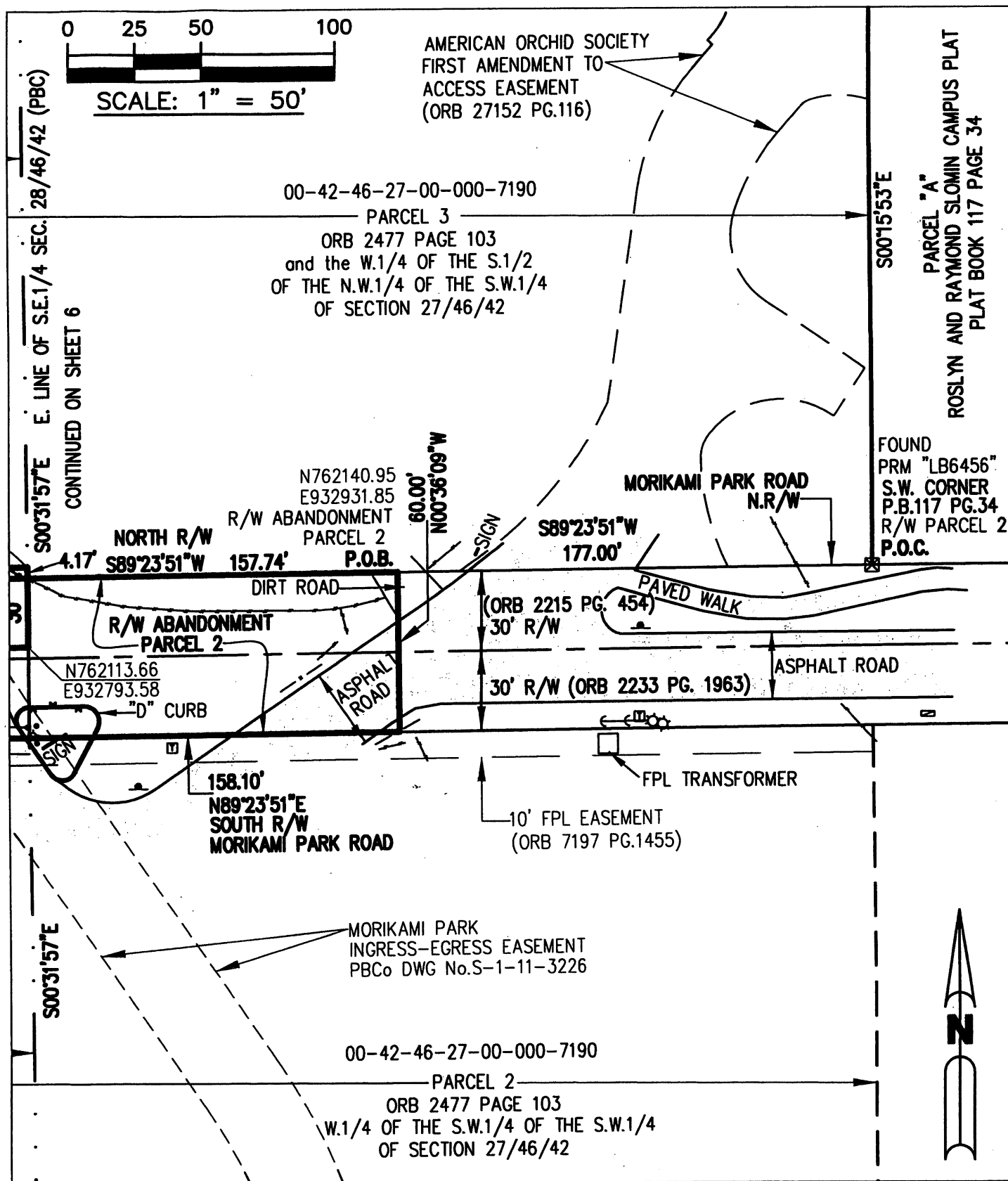
SCALE: NONE

DATE: JUNE 2015

SHEET 4 OF 7

EXHIBIT A

Page 5 of 7



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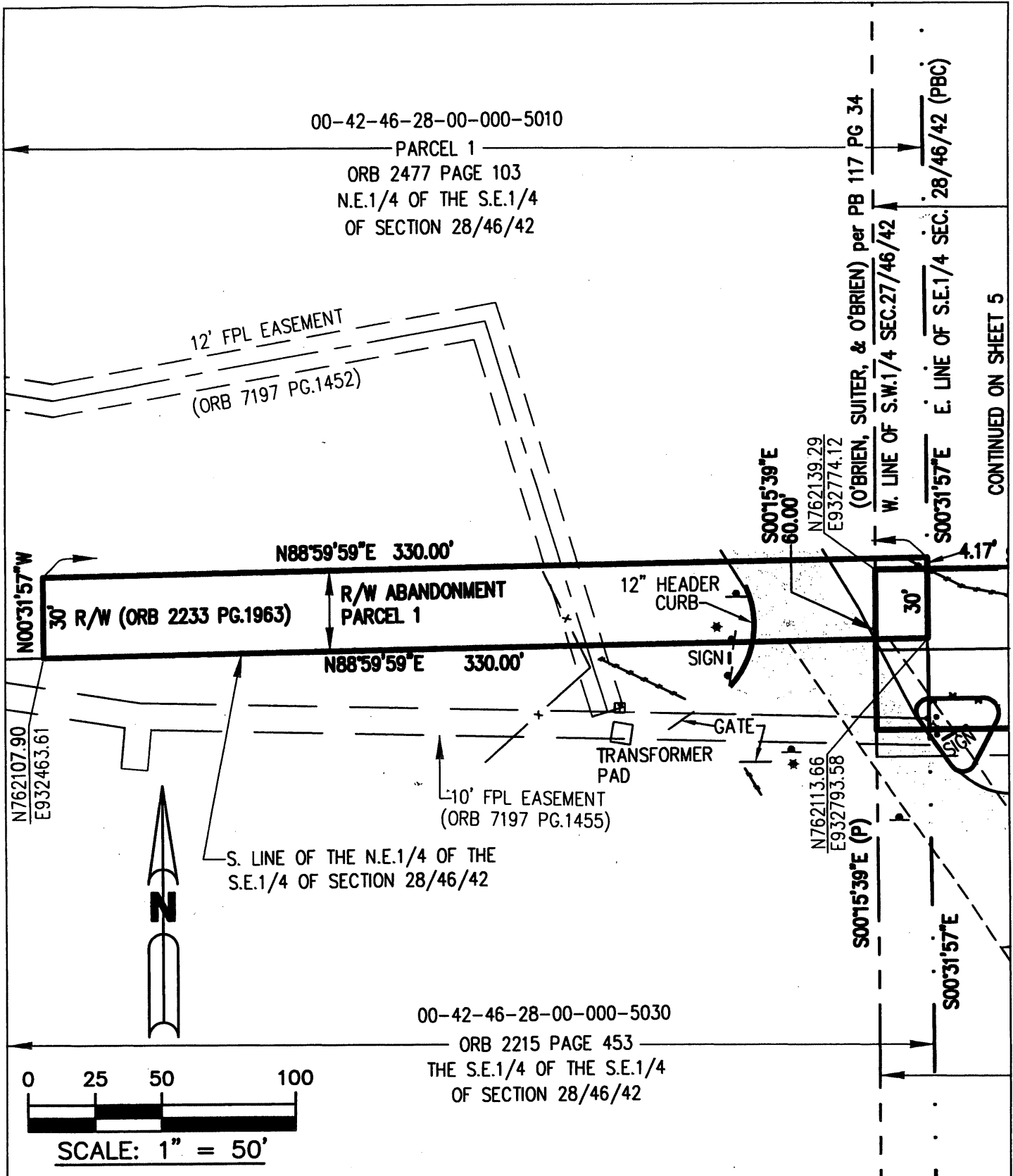
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**MORIKAMI PARK ROAD
 PARTIAL R/W ABANDONMENT**

PROJ. No. 15-014	DRAWN: MB
SKETCH OF SPECIFIC PURPOSE SURVEY	SCALE: 1"=50'
	DATE: JUNE 2015
	SHEET 5 OF 7

EXHIBIT A

Page 6 of 7



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	SHEET 6 OF 7

CONTINUED ON SHEET 5

EXHIBIT A

Page 7 of 7

