

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	September 12, 2017	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

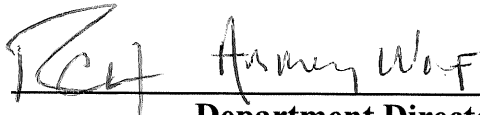

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution requesting that the State of Florida Department of Transportation (FDOT) release a 0.10 acre strip of FDOT-owned surplus right-of-way located on State Road 7 in unincorporated Boca Raton, without charge and without reservation of mineral and petroleum rights.

Summary: The County owns a 1.26 acre property located at 10050 Judge Winikoff Road in unincorporated Boca Raton upon which the County constructed Fire Station #51. Subsequently, FDOT required additional right-of-way for State Road 7 which was dedicated by resolution. Parking spaces and a fence located on the east property line encroach into the State Road 7 road right-of-way, and were not removed pending FDOT moving forward with the widening of State Road 7. FDOT has determined that it no longer needs the expanded right-of-way and has agreed to release it. FDOT requires the County to adopt a resolution requesting that FDOT convey the 0.10 acre strip of land without charge and without reservation of mineral and petroleum rights. FDOT will convey to the County the surplus parcel by deed in a form acceptable to the County Attorney’s Office. (PREM) District 5 (HJF)

Background and Justification: The County took title to Fire Station #51 via Ordinance 83-23 which transferred assets of the Fire Control Taxing Districts to the County. In 1989, Resolution No. 89-337 approved a Special Exception Petition (88-18) for Fire Station #51 with a condition that a portion of the property be designated for road right-of-way for State Road 7. In 1994, (R-94-1598), the County designated a portion of the County property as road right-of-way for State Road 7. Prior to the right-of-way designation, improvements to the fire station were constructed; consequently, relocating these improvements on site would cause considerable disruption to the operation of the fire station. FDOT has determined the strip of land is surplus and has agreed to convey it to the County without charge and without reservation of mineral rights.

- Attachments:
- 1. Location Map
 - 2. Resolution

Recommended By:		8/13/17
	Department Director	Date
Approved By:		9/15/17
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

Is Item Included in Current Budget: Yes No

Budget Account No: Fund Dept Unit Object
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* No fiscal impact.

Fixed Asset Number

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Lisa Pond

OFMB

ET 8/21

8/24

9/5/17

John J. Jacobson

Contract Development and Control

9/5/17

9/5/17

B. Legal Sufficiency:

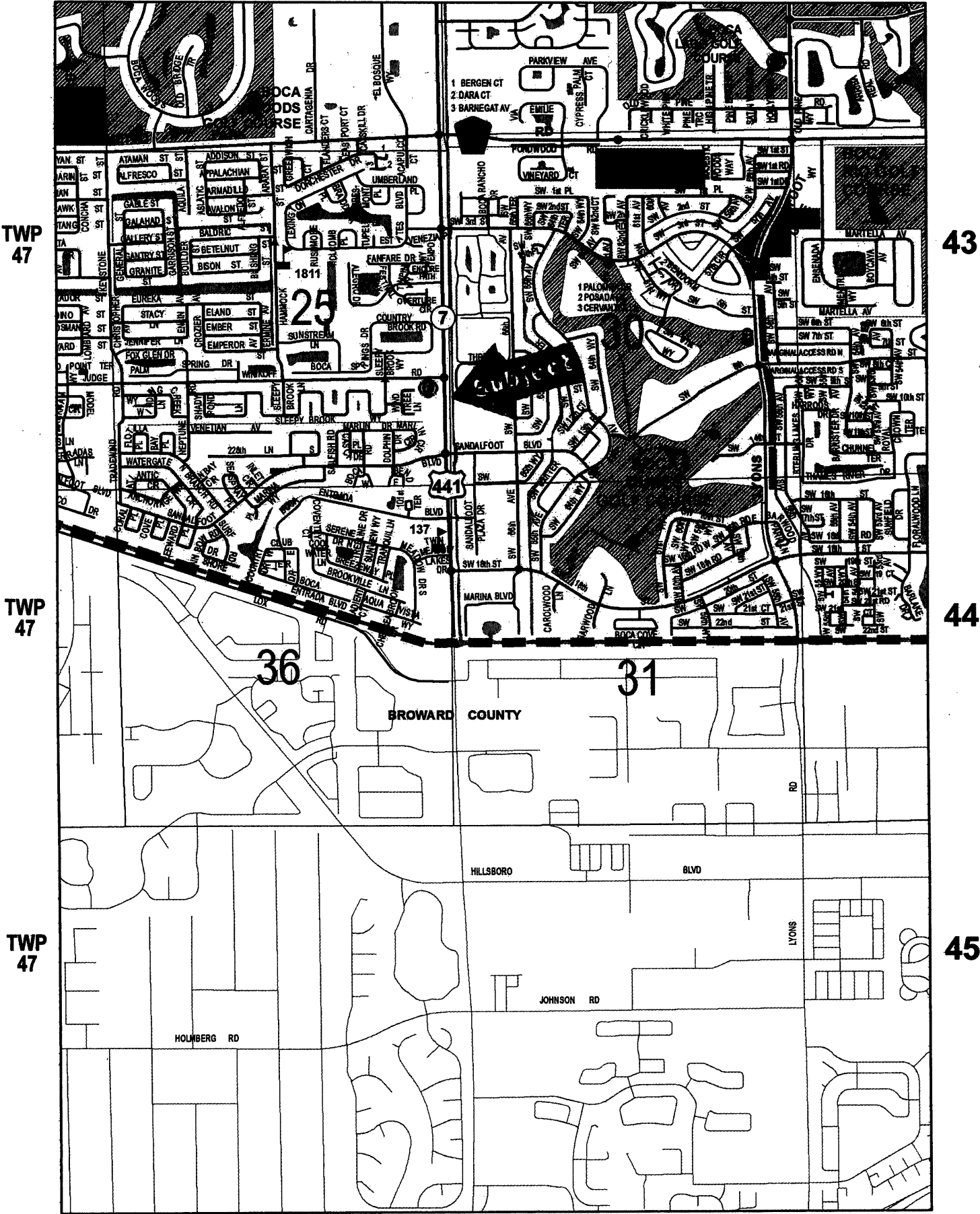
9/7/17

Assistant County Attorney

C. Other Department Review:

Department Director

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



RNG 41

No pg

RNG 42

LOCATION MAP

Attachment 1
1 of 2





Attachment 1
2 of 2

Attachment 2
(6 pages)

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE REQUEST TO ACQUIRE CERTAIN SURPLUS RIGHT-OF-WAY PROPERTY OWNED BY THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (DEPARTMENT), WITHOUT CHARGE AND WITHOUT MINERAL AND PETROLEUM RIGHTS RESERVATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Department owns a 0.10 acre strip of surplus right-of-way (Surplus Parcel) located on S.R. 7 in Boca Raton, in unincorporated Palm Beach County; and

WHEREAS, the County owns a 1.26 acre parcel of land located on Judge Winikoff Road in Boca Raton, in unincorporated Palm Beach County, and constructed Fire Station #51 upon said parcel; and

WHEREAS, a portion of Fire Station #51, more particularly parking spaces, has been built within the Surplus Parcel; and

WHEREAS, the Department has requested a resolution from the County requesting the conveyance of such Surplus Parcel, without reservation of phosphate, mineral, metals, and petroleum rights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Authorization to Acquire Surplus Parcel

The Board of County Commissioners of Palm Beach County hereby formally requests the Department convey to Palm Beach County the Surplus Parcel owned by the Department as described in Exhibit “A” attached hereto and made a part hereof by deed from the Department, in a form acceptable to the County Attorney’s Office, conveying the Surplus Parcel to the County.

Section 3. Conflict with Federal or State Law or County Charter

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

Section 4. Effective Date

The provisions of this Resolution shall be effective immediately upon adoption hereof.

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, a political
subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Department Director

G:\PREM\Dev\Open Projects\FS #51 Judge Winikoff Rd\Reso. hf app 8-4-2014.docx

EXHIBIT “A”

SURPLUS PARCEL

LEGAL DESCRIPTION


A strip of land lying within a portion of Tract 52 of plat of the Florida Fruit Lands Company's Subdivision No. 2, recorded in Plat Book 1, Page 102, of the Public records of Palm Beach County, Florida, lying in Section 25, Township 47 South, Range 41 East, Palm Beach County, Florida, being more particularly described as Follows:

Commence at a 3/4 inch diameter reinforcing rod marking the P.I., (Point of Intersection), baseline station 31+82.29 as shown on the Florida Department of Transportation's Specific Purpose Survey for State Road No. 7 (U.S HWY 441), sheet 1 of 18, recorded in Road Book 7, Page 21 in said Public Records ; thence North 00° 54' 49" West along the baseline of said Specific Purpose Survey, said bearing reference is to the Florida State Plane Coordinate System and all other bearings shown herein are referenced thereto, a distance of 1565.79 feet to the intersection with the easterly prolongation of the North line of Parcel F-1 according to Plat No.1 Boca Trails sheet 2 of 2 sheets, recorded in Plat Book 32, Page 127 of said Public Records; thence South 88° 53' 00" West along said Easterly prolongation a distance of 174.00 feet to the Northeast corner of said Parcel F-1 and being also the Southeast corner of a Parcel of land granted for additional right of way for State Road No. 7 (U.S HWY 441) recorded in Official Record Book 9183 , Page 1943 in said Public Records; Said point also being the POINT OF BEGINNING.

thence continue South 88° 53' 00" West along the North line of said Parcel F-1 a distance of 18.90 feet to the Southwest corner of said Parcel of land granted for additional Right of Way for State Road No. 7 (U.S HWY 441) being also a point on the West Right of Way line of said State Road No. 7 (U.S HWY 441) and parallel with and 192.90 feet westerly of, as measured at right angles to, said baseline; thence North 00° 54' 49" West along the West Right of Way line a distance of 229.86 feet; thence North 88° 53' 00" East and parallel with the North line of said Parcel F-1, a distance of 18.90 feet to a point on the East line of said Parcel of land granted for additional right of way for State Road No. 7 (U.S HWY 441); thence South 00° 54' 49" East along said East line of the Parcel of land granted for additional right of way for State Road No. 7 a distance of 229.86 feet to the POINT OF BEGINNING.

Said lands situated and being within the City of Boca Raton, Florida and containing 0.10 acres (4,344 square feet), more or less.

I hereby certify that the sketch and legal description was prepared under my direction and that said sketch and legal description is in compliance with Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Nicholas Campanile  Date 04/13/2017
Florida Professional Surveyor and Mapper No. 4605
Florida Department of Transportation

			FLORIDA DEPARTMENT OF TRANSPORTATION			
			PARCEL_SKETCH_-_NOT_A_FIELD_SURVEY			
			STATE ROAD NO. 7 (US HWY 441)		PALM BEACH COUNTY	
			BY	DATE	PREPARED BY:	DATA SOURCE:
					F.D.O.T. DISTRICT 4	N/A
			DRAWN	HERNANDEZ	04/13/17	
REVISION			CHECKED	CAMPANILE	04/13/17	
			F.P. NO. N/A		SECTION 93210	SHEET 2 OF 3

