

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 17, 2017 Consent ☒ Regular ☐
Public Hearing ☐ []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the partial release of a utility easement over property owned by Gleneagles Country Club, Inc.

Summary: The Water Utilities Department (WUD) has determined that it is in the best interest of the County to release the County's interest in a portion of a utility easement recorded in the official records of Palm Beach County, Book 26799, Page 1400. During a site plan modification, WUD staff determined that an existing building was constructed within the existing Utility Easement. The release of this small portion of the existing easement will not have any adverse consequences and it was determined to be a better alternative than relocating the existing watermain or the building. The release will reduce the width of the easement from 10-feet to 9.6-feet in a small location and WUD recommends the release. District 5 (MJ)

Background and Justification: On May 12, 2014, a utility easement was granted to the County for public water facilities associated with the development of the property identified by PCN 00-42-46-21-34-001-0000. There is a slight overlap with the easement and the building will not impede the operation and maintenance of this watermain. The property owner is requesting release of the portion of the easement.

Attachments:

1. Location Map
2. Two (2) Original Partial Release of Utility Easement w/ Exhibit "A"
3. Two (2) Copy of Utility Easement (ORB 26799/1400)

Recommended By: Jim Stiles 9-20-17
Department Director Date

Approved By: [Signature] 10/10/17
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:


Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____					

Is Item Included in Current Budget? Yes ____ No ____

Reporting Category N/A

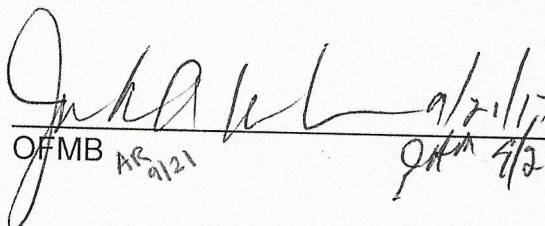
B. Recommended Sources of Funds/Summary of Fiscal Impact:

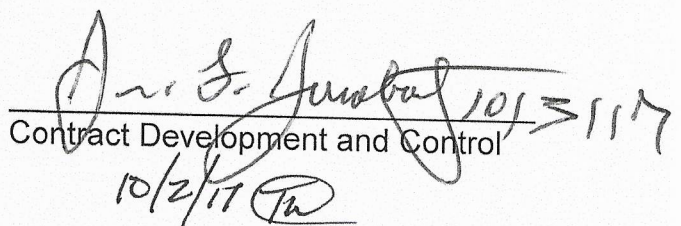
N/A

C. Department Fiscal Review:  _____

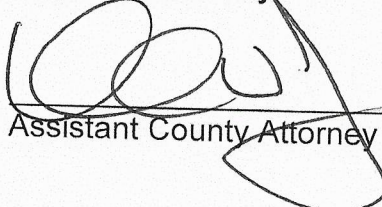
III. REVIEW COMMENTS

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

 9/21/17
OFMB AR 9/21

 10/3/17
Contract Development and Control 10/2/17

B. Legal Sufficiency:

 10/10/17
Assistant County Attorney

C. Other Department Review:

Department Director

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

7.



See pg 115

Page 108

ATTACHMENT 2

Prepared by and return to:
Palm Beach County Water Utilities Department
Attn: Plan Review
8100 Forest Hill Blvd
West Palm Beach, Florida 33413

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed this ___ day of _____, 2017, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to Gleneagles Country Club, Inc., whose address is 7667 Victory Ln., Delray Beach, Fl. 33446 second party:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 26799, Page 1400, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."

IN WITNESS WHEREOF the first party has caused this PARTIAL RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

Sharon R. Bock, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Paulette Burdick, Mayor

Jas

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

DESCRIPTION:

A PORTION OF OF PARCEL A, GLENEAGLES COUNTRY CLUB REPLAT, AS RECORDED IN PLAT BOOK 119, PAGE 164, OF PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY SOUTHEAST CORNER OF SAID PARCEL A SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1530.00 FEET FROM WHICH A RADIAL LINE BEARS NORTH 87°30'35" EAST; THENCE, ALONG THE EAST LINE OF SAID PARCEL A AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 5°42'15", A DISTANCE OF 152.32 FEET; THENCE, DEPARTING SAID EAST LINE NORTH 86°47'10" WEST, A DISTANCE OF 67.05 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE 20 FOOT PALM BEACH COUNTY WATER UTILITIES DEPARTMENT UTILITY EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 26799 AT PAGE 1400 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE POINT OF BEGINNING;
THENCE, ALONG SAID EAST LINE OF THE 20 FOOT PALM BEACH COUNTY WATER UTILITIES DEPARTMENT UTILITY EASEMENT, SOUTH 34°33'11" WEST, A DISTANCE OF 3.82 FEET; THENCE, DEPARTING SAID EAST LINE, NORTH 00°00'00" EAST, A DISTANCE OF 5.07 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID EAST LINE OF 20 FOOT PALM BEACH COUNTY WATER UTILITIES DEPARTMENT UTILITY EASEMENT; THENCE, ALONG SAID EAST LINE SOUTH 48°22'02" EAST, A DISTANCE OF 2.90 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.
CONTAINING 5.5 SQUARE FEET, MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF SOUTH 81°58'50" WEST ALONG THE SOUTH LINE OF PARCEL A, GLENEAGLES COUNTRY CLUB REPLAT, AS RECORDED IN PLAT BOOK 119, PAGE 164 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MARCH 27, 2017. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 3



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING

7900 GLADES ROAD - SUITE 100

BOCA RATON, FLORIDA 33434

PHONE (561)-392-1991 / FAX (561)-750-1452

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
LB# 3591

**GLENEAGLES COUNTRY CLUB
PBCWUD UTILITY EASEMENT ABANDONMENT
SKETCH OF DESCRIPTION**

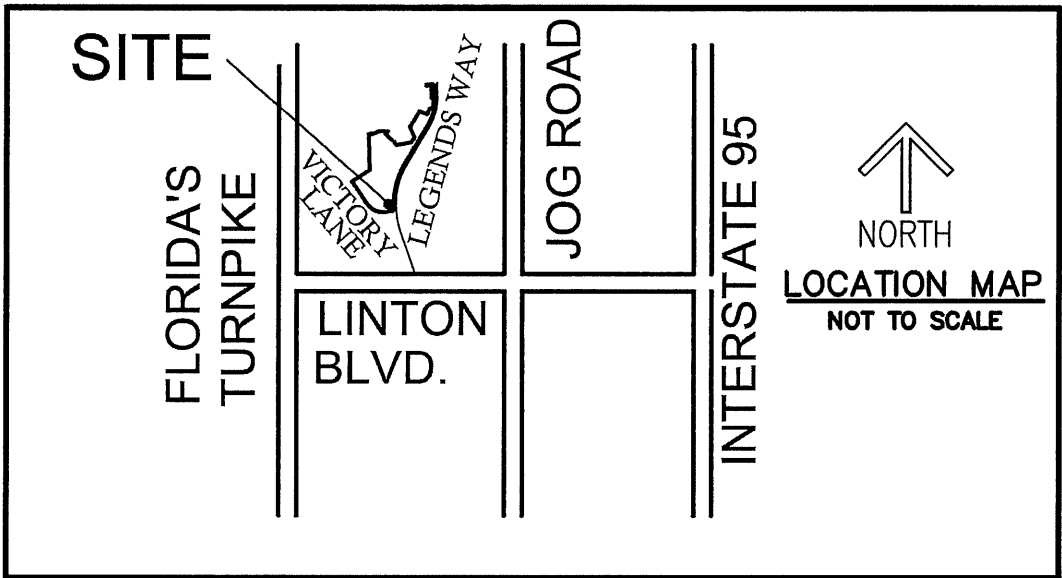
DATE 03/27/17

DRAWN BY DLS

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO. 6495-UEAB



SECTION 21, TOWNSHIP 46 SOUTH, RANGE 42 EAST

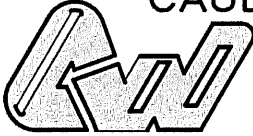
NOTES
COORDINATES, BEARINGS AND DISTANCES

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 UNLESS OTHERWISE NOTED
SCALE FACTOR = 1.0000271
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

LEGEND/ABBREVIATIONS

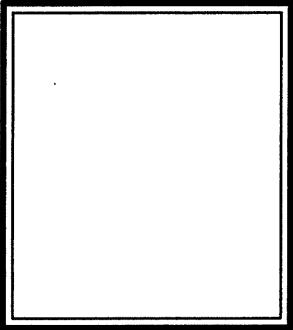
- | | |
|----------------------------------|---|
| ℄ - CENTERLINE | PBCWUD - PALM BEACH COUNTY WATER UTILITIES DEPARTMENT |
| Δ - DELTA (CENTRAL ANGLE) | R - RADIUS |
| E - EASTING | U.E. - UTILITY EASEMENT |
| L - ARC LENGTH | P.B. - PLAT BOOK |
| L.A.E. - LIMITED ACCESS EASEMENT | PG. - PAGE |
| LB - LICENSED BUSINESS | Δ - DENOTES GEODETIC CONTROL STATION |
| N - NORTHING | |
| O.R.B. - OFFICIAL RECORD BOOK | |

SHEET 2 OF 3

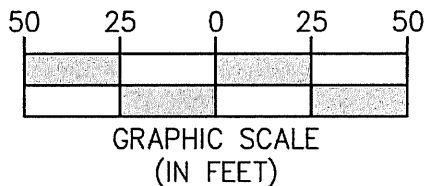


CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

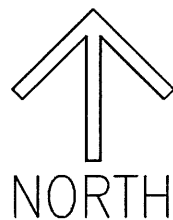
GLENEAGLES COUNTRY CLUB
PBCWUD UTILITY EASEMENT ABANDONMENT
SKETCH OF DESCRIPTION



DATE	03/27/17
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	6495-UEAB



PARCEL A
GLENEAGLES
COUNTRY CLUB
REPLAT
PLAT BOOK 119
PAGE 164



P.O.B.
N 766875.82
E 929355.64

20' PBCWUD EASEMENT
O.R.B. 26799,
PG. 1400

PARCEL A
GLENEAGLES
COUNTRY CLUB
REPLAT
PLAT BOOK 119
PAGE 164

20' PBCWUD
EASEMENT
O.R.B. 26799,
PG. 1400

S. LINE PARCEL A

P.O.C.
N 766718.83
E 929417.94
MOST NORTHERLY
SE CORNER
PARCEL A

10' U.E.
5' L.A.E.

15' U.E.
5' L.A.E.

LEGENDS WAY

TRACT "D"
O.R.B. 7956, PG. 78
GLENEAGLES, PLAT ONE
P.B. 50, PG. 63

PALM BEACH COUNTY
GEODETIC CONTROL
STATION "KING"

N 766284.58
E 932749.73

S81°57'14"W
(BASIS OF BEARINGS)

VICTORY LANE

TRACT "E"
GLENEAGLES, PLAT FOUR
P.B. 51, PG. 135

R=1530.00' Δ=5°42'15" L=152.32'

(CALCULATED)

N87°30'35"E (RADIAL)
S120°07'58"E
6209.98' (GRID)
S82°34'27"E 3359.98' (GRID)

PALM BEACH COUNTY
GEODETIC CONTROL STATION
"PBF 88"

N 760647.56
E 930723.13

SHEET 3 OF 3



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

GLENEAGLES COUNTRY CLUB
PBCWUD UTILITY EASEMENT ABANDONMENT
SKETCH OF DESCRIPTION

DATE 03/27/17

DRAWN BY DLS

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO. 6495-UEAB

ATTACHMENT 3

SDA #

Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097
West Palm Beach, Florida 33416-6097

CFN 20140183440
OR BK 26799 PG 1400
RECORDED 05/19/2014 15:42:47
Palm Beach County, Florida
AMT 10.00
Doc Stamp 0.70
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1400 - 1404; (5pgs)

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 12th day of May, 2014, by Gleneagles Country Club, Inc. (hereinafter referred to as "Grantor"), whose address is 7667 Victory Ln., Delray Beach, FL 33446, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.

WITNESSES:

Signed, sealed and delivered
in the presence of:

Kraig M. Spina
Witness Signature
Kraig M. Spina
Print Name
Nicholas W. Jany
Witness Signature
Nicholas W. Jany
Print Name

GRANTOR:

Ralph Winer
Signature
Ralph Winer-President
Print Name (and Title if applicable)
Ralph Winer
Signature
Leila Hamori-Secretary
Print Name (and Title if applicable)

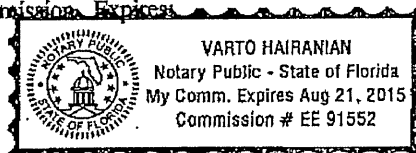
(SEAL)

NOTARY CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12th day of May, 2014, by Kraig M. Spina and Leila Hamori, who is/are personally known to me or who has produced _____ as identification.

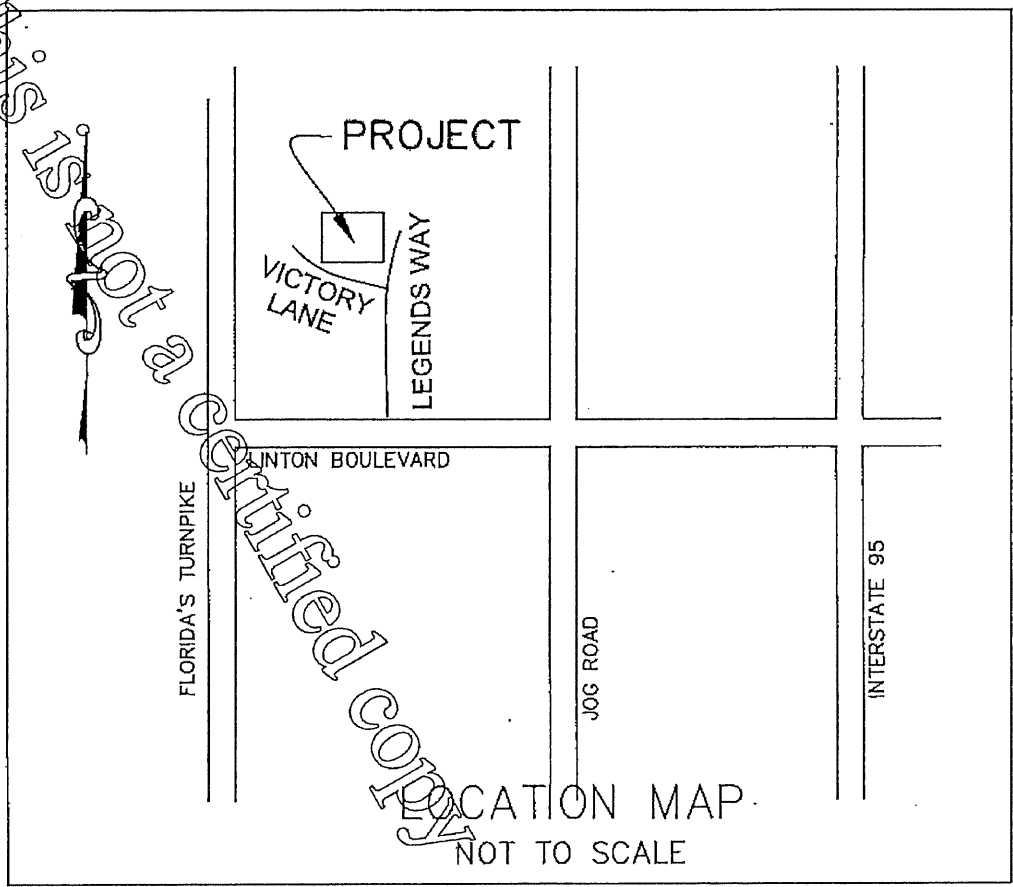
My Commission Expires



Varto Hairanian
Notary Signature

VARTO HAIRANIAN
Typed, Printed or Stamped Name of Notary

EXHIBIT "A"

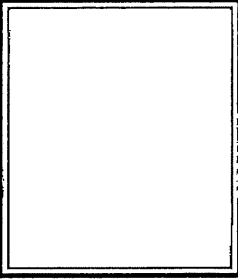


REVIEWED & ACCEPTED
PALM BEACH COUNTY WATER UTILITIES DEPT.
5/19/14 *Franky*
Date on behalf of Adam

SHEET 1 OF 4

 CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

GLENEAGLES COUNTRY CLUB
PBCWUD UTILITY EASEMENT NO. 2
SKETCH OF DESCRIPTION



DATE	5/14/14
DRAWN BY	DLS
F.B. / PG.	N/A
SCALE	AS SHOWN
JOB NO.	6495SDUE1

DESCRIPTION:

EXHIBIT "A"

A STRIP OF LAND BEING A PORTION OF OF TRACT A-1 AND WATER MANAGEMENT TRACT L-5, GLENEAGLES PLAT FOUR, PLAT BOOK 51, PAGE 138, OF PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT A-1; THENCE, ALONG THE SOUTH LINE OF SAID TRACT A-1, SOUTH 34°11'48" EAST, A DISTANCE OF 76.48 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE;

THENCE NORTH 55°45'41" EAST, A DISTANCE OF 78.54 FEET TO POINT "A"; THENCE CONTINUING NORTH 55°45'41" EAST, A DISTANCE OF 137.76 FEET; THENCE S34°07'26"E, A DISTANCE OF 131.59 FEET; THENCE S46°08'47"E, A DISTANCE OF 135.30 FEET; S46°08'47"E, A DISTANCE OF 135.30 FEET; THENCE S75°40'58"E, A DISTANCE 28.97 FEET TO POINT "B"; S85°10'10"E, 35.90 FEET; THENCE N83°55'14"E, A DISTANCE OF 57.56 FEET; THENCE N42°47'00"E, A DISTANCE OF 9.91 FEET; THENCE S48°22'02"E, A DISTANCE OF 45.83 FEET; S34°33'11"W, A DISTANCE OF 53.73; THENCE S02°03'14"W, A DISTANCE OF 149.72 FEET TO POINT OF TERMINUS NO. 1. THE SIDELINES OF SAID EASEMENT SHALL BE SHORTENED OR LENGTHENED TO TERMINATE ON THE SOUTH LINE OF SAID TRACT A-1.

TOGETHER WITH A STRIP OF LAND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING CENTERLINE; BEGINNING AT AFORESAID POINT "A"; THENCE N34°17'37"W, A DISTANCE OF 29.45 FEET; THENCE N54°14'07"W, A DISTANCE OF 13.60 FEET; THENCE N33°53'04"W, A DISTANCE OF 42.77 FEET TO POINT OF TERMINUS NO.2.

TOGETHER WITH A STRIP OF LAND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING CENTERLINE; BEGINNING AT AFORESAID POINT "B"; THENCE N09°24'42"E, A DISTANCE OF 41.70 FEET TO POINT OF TERMINUS NO.3.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 18,565 SQUARE FEET OR 0.4262 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.



NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S34°10'12"E ALONG THE SOUTH LINE OF TRACT A-1, GLENEAGLES PLAT FOUR, AS RECORDED IN PLAT BOOK 51, PAGE 1354 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. STATE PLANE COORDINATES AND GRID BEARINGS SHOWN HEREON ARE BASED ON VALUES PUBLISHED BY THE PALM BEACH COUNTY SURVEY DEPARTMENT, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, IN U.S. SURVEY FEET.
5. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR
6. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON MAY 14, 2014. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 2 OF 4

 CAULFIELD & WHEELER, INC. CIVIL ENGINEERING - LAND SURVEYING 7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452			DATE 5/14/14
GLENEAGLES COUNTRY CLUB PBCWUD UTILITY EASEMENT NO. 2 SKETCH OF DESCRIPTION			DRAWN BY DLS
			E.D./P.G. N/A
			SCALE AS SHOWN
			JOB NO. 6495SDUE1

