

☐ Regular  
☐ Public Hearing

**Department:** Engineering and Public Works  
**Submitted by:** Engineering and Public Works  
**Submitted for:** Land Development Division

1. Location Sketch
2. Resolution with Exhibit 'A'

Approved by:     *Pa*         7/24/18      
Assistant County Administrator Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
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

Does this item include the use of federal funds? Yes No X

### Budget Account No:

Fund                  Dept                  Unit                  Object

Recommended Sources of Funds/Summary of Fiscal Impact:

\*\*This item has no fiscal impact. Easements are exempt from the privilege fee requirement.

### C. Departmental Fiscal Review:

Alicia Kovalainen

## III. REVIEW COMMENTS

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

Lisa Penn 7/18/18  
OFMB  
7/18/18

7/18/18  
7/18/18

Dr. S. J. J. J. 7/20/18  
Contract Dev. and Control  
7/20/18

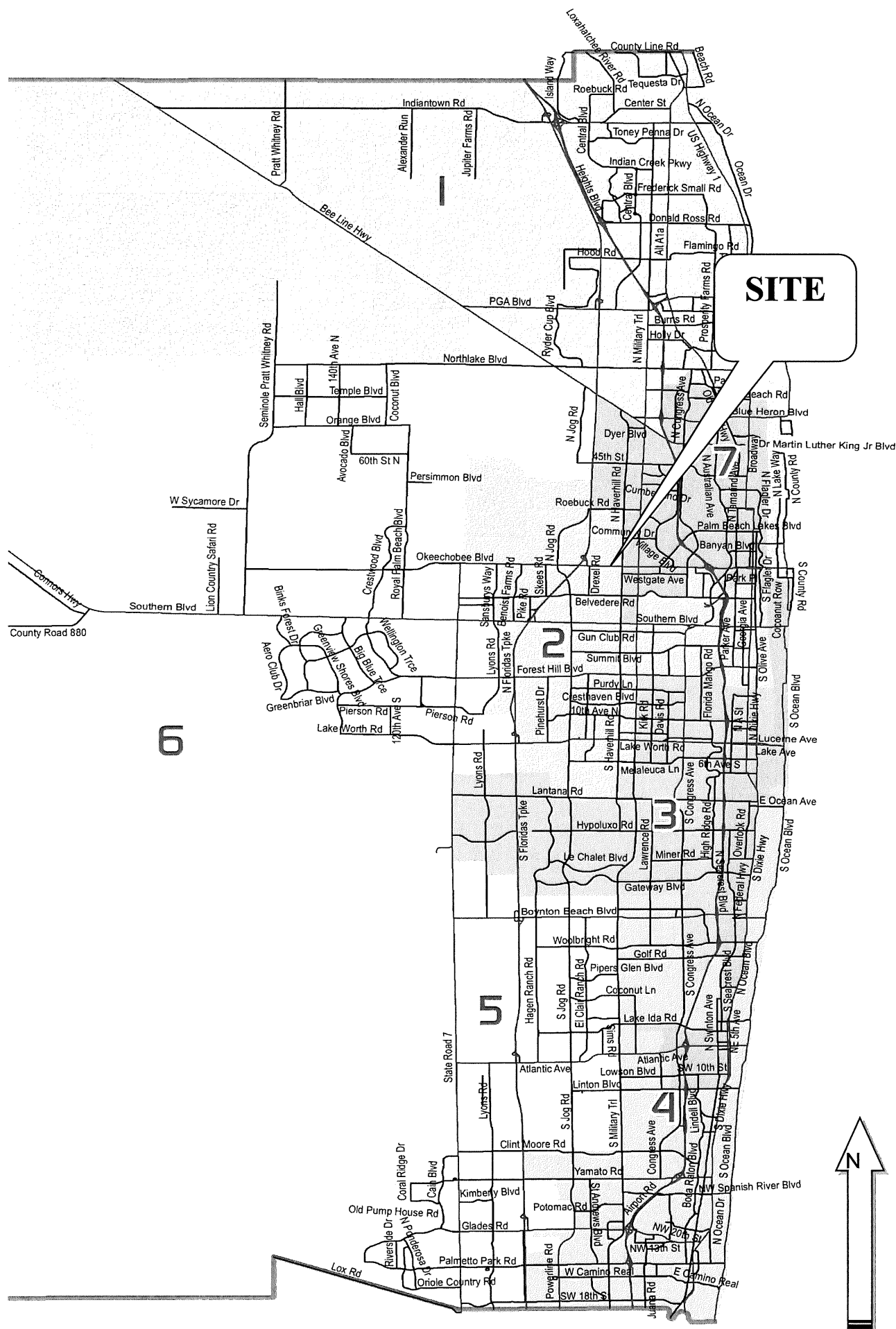
### B. Approved as to Form and Legal Sufficiency:

M. B. Herman 7/23/2018  
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 ALL OF THE 5-FOOT WIDE UTILITY EASEMENT LYING WITHIN LOTS 3 THROUGH 7, PLAT OF BREEZY ACRES, AS RECORDED IN PLAT BOOK 24, PAGE 48, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

**RESOLUTION NO. R-2018-\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ANY PUBLIC INTEREST IN ALL OF THE UTILITY EASEMENT LYING WITHIN LOTS 3 THROUGH 7, PLAT OF BREEZY ACRES, AS RECORDED IN PLAT BOOK 24, PAGE 48, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.**

**WHEREAS**, the Board of County Commissioners (BCC) of Palm Beach County, Florida, has considered the abandonment pursuant to authority in Sections 177.101 and 336.09 of the Florida Statutes and as provided in Palm Beach County (County) Code Chapter 22. Article III, Road Abandonment and Plat Vacation Ordinance (Ordinance) for the abandonment/vacation of the utility easement hereinafter described in **Exhibit A**; and

**WHEREAS**, a petition to abandon the 5 foot wide utility easement lying within lots 3 through 7, plat of Breezy Acres, as recorded in Plat Book 24, Page 48, was submitted by Accelerated Investment, LLC; and

**WHEREAS**, this petition substantially complies with the terms and conditions of the abandonment as set forth in said Ordinance; and

**WHEREAS**, the BCC, while convened in regular session on August 14, 2018 did hold a meeting on said petition to abandon the 5 foot wide utility easement lying within lots 3 through 7, as shown in **Exhibit A**; and

**WHEREAS**, the BCC determined that said abandonment conforms to the Ordinance.

**RESOLUTION NO. R-2018-\_\_\_\_\_**

**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 5 foot wide utility easement lying within lots 3 through 7, plat of Breezy Acres, recorded in Plat Book 24, Page 48, of the Public Records of Palm Beach County, Florida, is hereby abandoned and closed as a public utility easement, and the BCC does hereby renounce and disclaim any right or interest of the County and the Public in and to the easement, more fully described in the legal description and sketch 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 the Ordinance.

(Remainder of page left intentionally blank)

**RESOLUTION NO. R-2018-\_\_\_\_\_**

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 Melissa McKinlay, Mayor

Commissioner Mack Bernard, Vice Mayor

Commissioner Hal R. Valeche

Commissioner Paulette Burdick

Commissioner Dave Kerner

Commissioner Steven L. Abrams

Commissioner Mary Lou Berger

The Mayor thereupon declared the Resolution duly passed and adopted  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**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:** \_\_\_\_\_  
Yelizaveta B. Herman,  
Assistant County Attorney

**DESCRIPTION:**

ALL OF THE CERTAIN FIVE FOOT UTILITY EASEMENT LYING WITHIN LOTS 3 THROUGH 7, BREEZY ACRES, AS RECORDED IN PLAT BOOK 24, PAGE 48 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE THE NORTHWEST CORNER OF LOT 3, "BREEZY ACRES", AS RECORDED IN PLAT BOOK 24, PAGE 48, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF LOTS 3 AND 4 OF SAID PLAT SOUTH 88°40'43" EAST, A DISTANCE OF 132.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SAID NORTH LINE SOUTH 88°40'36" EAST, A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF LOT 4; THENCE SOUTH 01°24'54" WEST ALONG THE EAST LINE OF LOTS 4 THROUGH 7 OF SAID PLAT, (DEPARTING FROM SAID NORTH LINE), A DISTANCE OF 340.40 FEET TO THE SOUTHEAST CORNER OF LOT 7 OF SAID PLAT; THENCE ALONG THE SOUTH LINE OF SAID LOT 7 NORTH 88°53'09" WEST, A DISTANCE OF 5.00 FEET; THENCE NORTH 01°24'54" EAST, (DEPARTING FROM SAID SOUTH LINE), A DISTANCE OF 225.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOTS 3 AND 4; THENCE NORTH 88°53'09" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 132.44 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BREEZY LANE AS SHOWN ON SAID PLAT; THENCE NORTH 01°24'54" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, (DEPARTING FROM SAID SOUTH LINE), A DISTANCE OF 5.00 FEET; THENCE SOUTH 88°53'09" EAST, (DEPARTING FROM SAID EAST RIGHT-OF-WAY LINE), A DISTANCE OF 132.44 FEET; THENCE NORTH 01°24'54" EAST, A DISTANCE OF 110.42 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 4, SAID POINT ALSO BEING THE POINT OF BEGINNING.

CONTAINING 2,364 SQUARE FEEET/0.0543 ACRES, MORE OR LESS.

LANDS SITUATE IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

**NOTES:**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE ABSTRACTED BY STEWART TITLE GUARANTY COMPANY, COMMITMENT FILE NUMBER17000360105, POLICY NUMBER 0-2381-000173344, DATED JULY 14, 2017 AT 11:55:27 A.M.; SCHEDULE B-SECTION II EXCEPTIONS WERE REVIEWED BY THIS OFFICE AND ALL PLOTTABLE EXCEPTIONS ARE SHOWN HEREON.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N88°40'36"W ALONG THE NORTH LINE OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
4. COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90/98 ADJUSTMENT) IN U.S. SURVEY FEET.
5. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
6. REFER TO CAULFIELD & WHEELER, INC. SPECIFIC PURPOSE SURVEY #5228, DATED MARCH 2018.
7. BEARINGS AND DISTANCES SHOWN HEREON ARE IN AGREEMENT WITH THE INSTRUMENT OF RECORD.
8. THIS SKETCH OF DESCRIPTION WAS NOT PREPARED FROM THE 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 JUNE 12, 2018. 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.

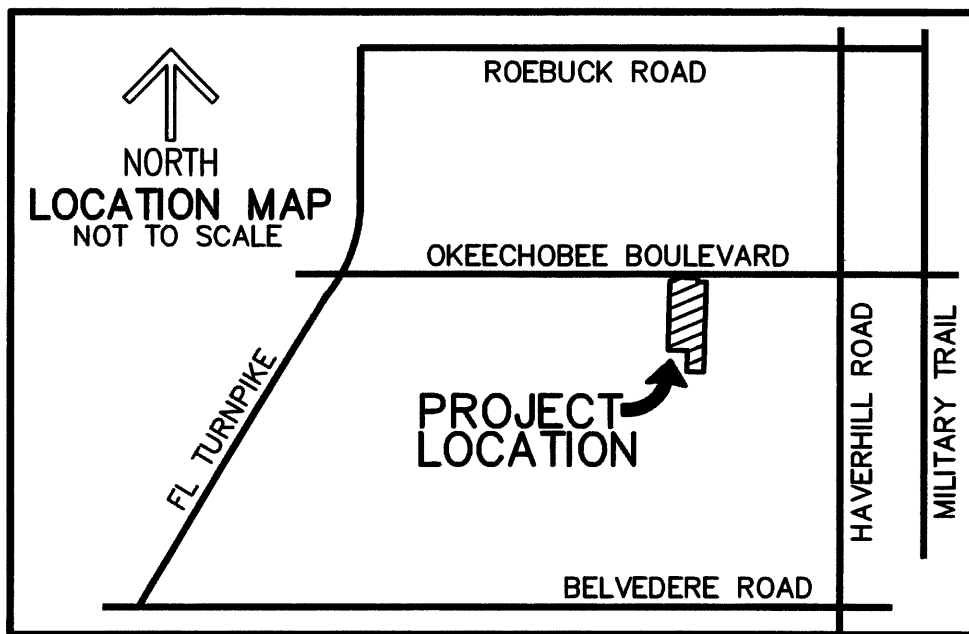
**SHEET 1 OF 4****CAULFIELD & WHEELER, INC.**

CIVIL ENGINEERING  
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. 5302  
STATE OF FLORIDA  
L.B. 3591

**BREEZY ACRES  
UTILITY EASEMENT ABANDONMENT  
SKETCH OF DESCRIPTION**

DATE	6/12/18
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	5228



### 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  
 SCALE FACTOR = 1.000034193  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
 NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.

### LEGEND/ABBREVIATIONS

℄ - CENTERLINE  
 Δ - DELTA (CENTRAL ANGLE)  
 P.B. - PLAT BOOK  
 PG. - PAGE  
 DE - DRAINAGE EASEMENT  
 E - EASTING (WHEN USED WITH COORDINATES)  
 FPL - FLORIDA POWER & LIGHT  
 L - ARC LENGTH  
 LB - LICENSED BUSINESS  
 LMAE - LAKE MAINTENANCE ACCESS EASEMENT  
 LME - LAKE MAINTENANCE EASEMENT  
 N - NORTHING (WHEN USED WITH COORDINATES)  
 O.R.B. - OFFICIAL RECORDS BOOK  
 R - RADIUS  
 R/W - RIGHT-OF-WAY  
 UE - UTILITY EASEMENT

SHEET 2 OF 4



**CAULFIELD & WHEELER, INC.**

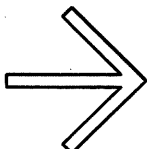
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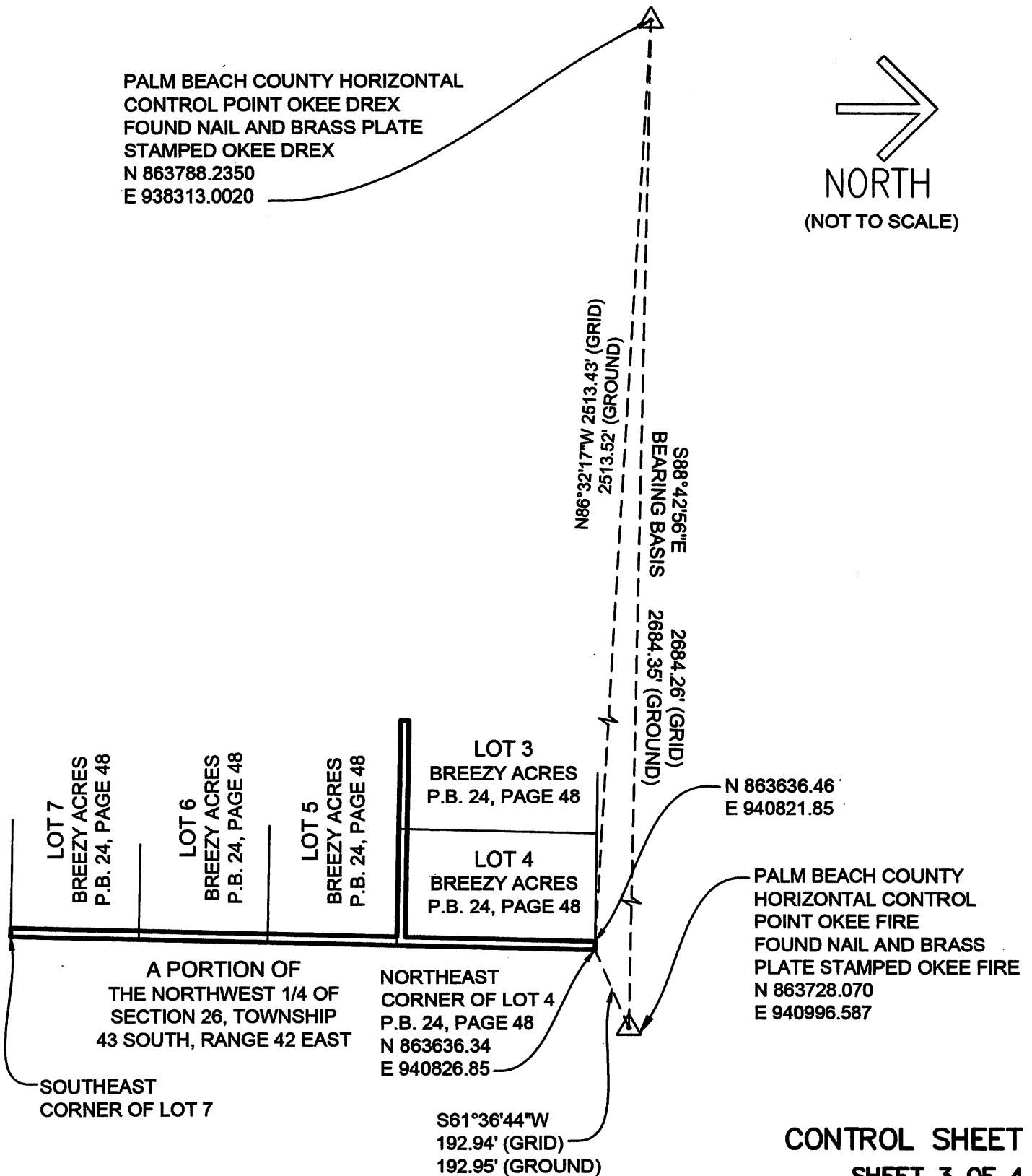
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 UTILITY EASEMENT ABANDONMENT  
 SKETCH OF DESCRIPTION**

DATE	6/12/18
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	AS SHOWN
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PALM BEACH COUNTY HORIZONTAL  
CONTROL POINT OKEE DREX  
FOUND NAIL AND BRASS PLATE  
STAMPED OKEE DREX  
N 863788.2350  
E 938313.0020

  
NORTH  
(NOT TO SCALE)



CONTROL SHEET  
SHEET 3 OF 4

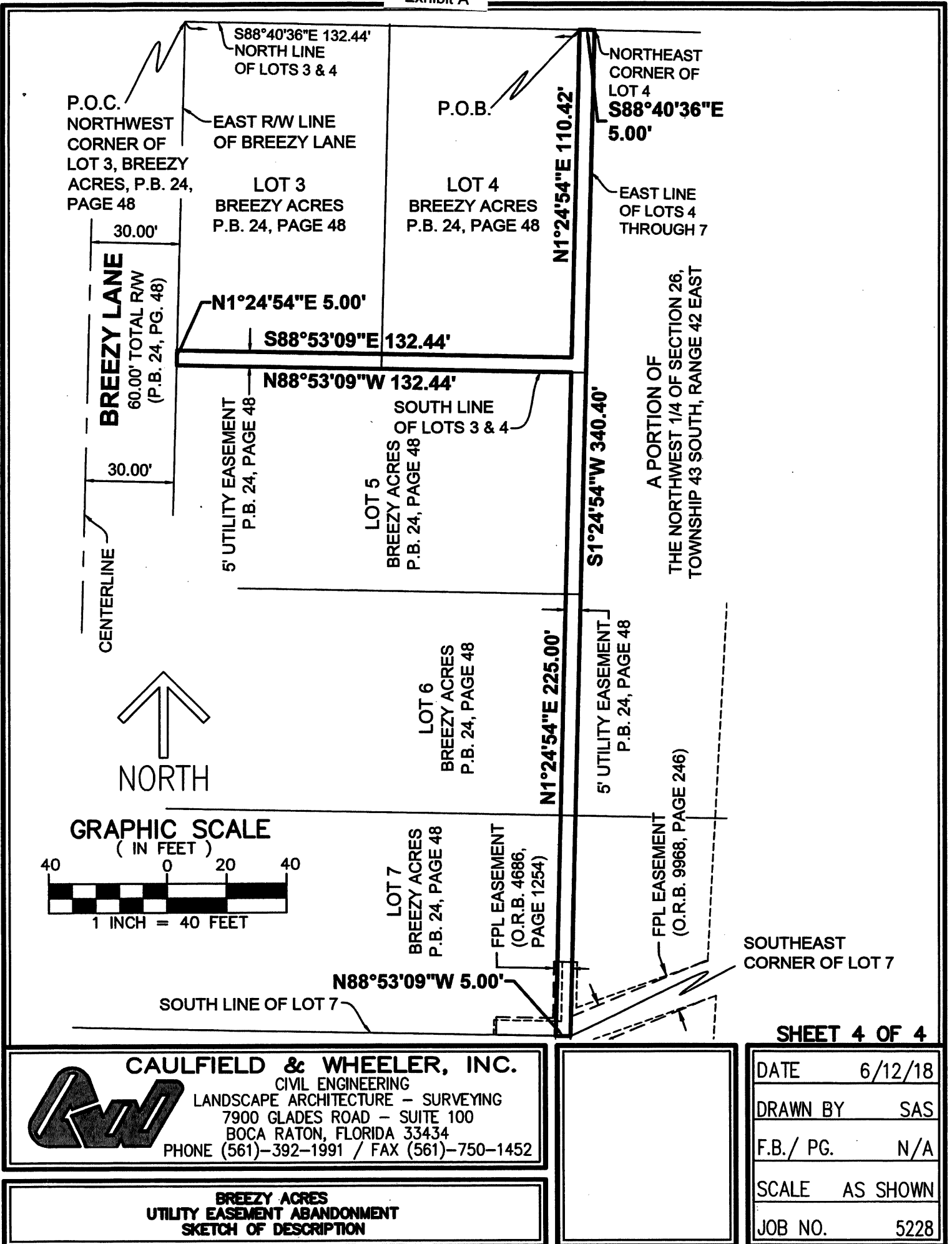


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SHEET 4 OF 4

**CAULFIELD & WHEELER, INC.**

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