

Agenda Item #: 3-C-7

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: October 16, 2018 Consent Regular
 Workshop Public Hearing

Department: Engineering & Public Works Department
 Submitted By: Engineering & Public Works Department
 Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: release of a relocatable drainage easement for Pratt Whitney Road located within the proposed Plat of Surf Ranch.

SUMMARY: This approval will release a Palm Beach County (County) relocatable drainage easement recorded in Official Record Book 28426, Page 27, Public Records of Palm Beach County, Florida. SR II, LLC (Developer) is in the process of platting Surf Ranch and the relocatable drainage easement is inconsistent with the approved site plan. The developer is requesting that the relocatable drainage easement be released, and has provided a replacement drainage easement on land to be platted as Surf Ranch to be recorded immediately after recording the release of the relocatable drainage easement. District 1 (LBH)

Background and Justification: The County acquired the relocatable drainage easement in 2016 for the drainage of Pratt Whitney Road. It is a paper easement only with no existing drainage structure. The replacement drainage easement will accommodate a new drainage system to be constructed by the developer that will convey runoff from Pratt Whitney Road. The developer is requesting that the relocatable drainage easement be released to allow the platting process to move forward. The Engineering Department recommends the Board of County Commissioners' approval.

Attachments:

1. Location Map
2. Release of Relocatable Drainage Easement

<p><i>Handwritten initials</i> Recommended by:</p>	<p><i>Handwritten signature</i> _____ Department Director</p>	<p><i>Handwritten date</i> _____ Date</p>
<p>Approved by:</p>	<p><i>Handwritten signature</i> _____ Assistant County Administrator</p>	<p><i>Handwritten date</i> _____ Date</p>

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	\$ <u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<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>**</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Is Item Included in Current Budget? Yes No
 Does this item include the use of federal funds? Yes No X

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: Alii Kovalainen

III. REVIEW COMMENTS

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


 Lisa Pinc 9/25/18
 OFMB


 Contract Dev. and Control
 10/11/18
 K/1/18 TW

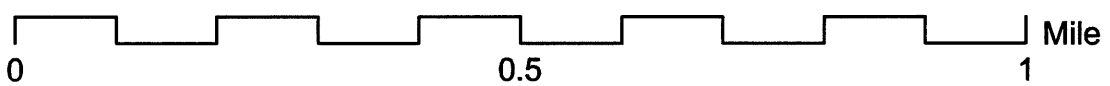
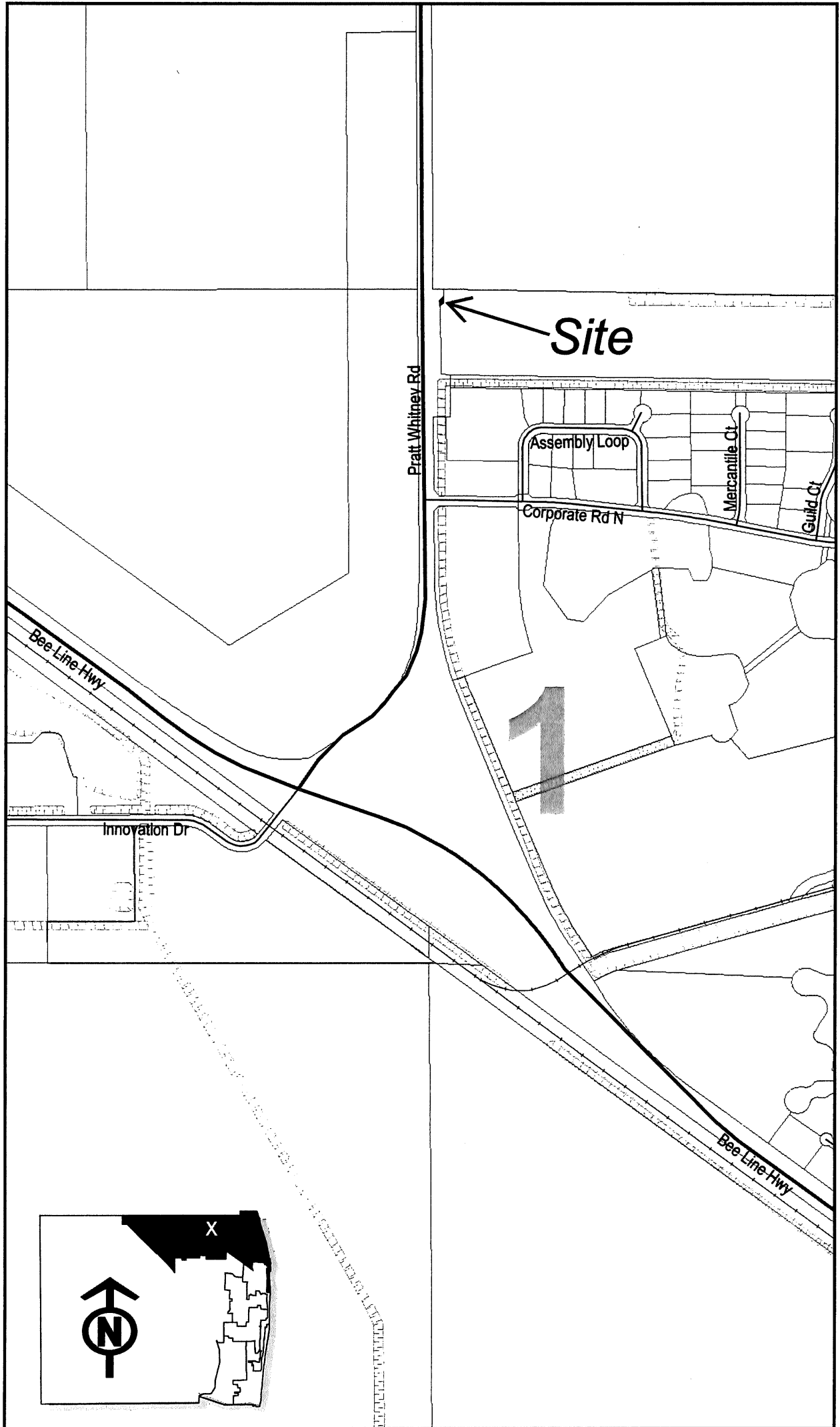
B. Approved as to Form and Legal Sufficiency:


 Assistant County Attorney
 10/2/2018

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 Section
Palm Beach County, Engineering & Public Works Department
Post Office Box 21229
West Palm Beach, Florida 33416-1229
Attn.: Kaye Weichel, Right-of-Way Specialist
Acct. No.: 1010 **W/C BOX 1066**

This Instrument Prepared by:
Yelizaveta Herman, Assistant County Attorney
Palm Beach County, County Attorney's Office
Post Office Box 21229
West Palm Beach, Florida 33416-1229

Property Control Number: Portion of: 00-41-44-17-00-000-3020

NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE

SPACE ABOVE THIS LINE FOR PROCESSING DATA

PROJECT NO.: MRT2018-025

**ROAD NAME: PRATT WHITNEY RD
SURF RANCH**

RELEASE OF RELOCATABLE DRAINAGE EASEMENT

WHEREAS, a relocatable drainage easement was conveyed to **PALM BEACH COUNTY**, a political subdivision of the State of Florida (County), on June 10, 2016 and recorded in Official Record Book 28426, Page 27, Public Records of Palm Beach County, Florida (Relocatable Drainage Easement); and,

WHEREAS, **SR II, LLC**, a Delaware limited liability company, whose post office address is 285 Madison Avenue, 20th Floor, New York, NY 10047 ("Developer"); is the successor in interest to the Grantor of the Relocatable Drainage Easement; and,

WHEREAS, the Relocatable Drainage Easement is located on land that is currently in the process of being platted. The plat will be known as Surf Ranch; and,

WHEREAS, the Relocatable Drainage Easement is inconsistent with the approved site plan for Surf Ranch; and,

WHEREAS, the Developer has requested that the Relocatable Drainage Easement be released, and the Developer agrees to construct a replacement a drainage system on land to be platted as Surf Ranch; and,

WHEREAS, the Developer has provided the County with the replacement drainage easement; and,

WHEREAS, the County will record the replacement drainage easement immediately after recording the release of the Relocatable Drainage Easement; and,

WHEREAS, County Engineering & Public Works Department staff has reviewed the request and finds it is appropriate to release the Relocatable Drainage Easement, as described in Official Record Book 28426, Page 27, Public Records of Palm Beach County, Florida.

NOW, THEREFORE, in consideration of the recitals set forth herein, which are true, correct and are incorporated herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County does hereby release the Relocatable Drainage Easement as described in Official Record Book 28426, Page 27, Public Records of Palm Beach County, Florida.

IN WITNESS WHEREOF, the County has caused this Release of Drainage Easement to be executed on _____.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Yelizaveta B. Herman
Assistant County Attorney

County:

PALM BEACH COUNTY,
a political subdivision of the State of
Florida

By: _____
Melissa McKinlay, Mayor

(Official Seal)