## Agenda Item #: 3-C-4

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

### AGENDA ITEM SUMMARY

Meeting Date: Jan	uary 15, 2019	[X] [ ]	Consent Workshop	[]	Regular Public Hearing
Department: Submitted By: Submitted For:	Engineering & 1 Engineering & 1 Roadway Produ	Public Wor	ks Departmen		

### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a resolution to approve recordation and filing of a maintenance map for Palm Beach County (County) certifying that the County streets designated as Aladdin Avenue, Barkis Avenue and Coelebs Avenue (Streets) have been maintained or repaired continuously and uninterrupted, by the County for more than four years and that the drainage infrastructure associated with these Streets, lying in Section 19, Township 45 South, Range 43 East, (Drainage Easement) has vested in the County.

**SUMMARY:** Adoption of this resolution will confirm that in accordance with Section 95.361(1), Florida Statutes, which provides that upon four years of continuous and uninterrupted maintenance or repair of the Streets, the Drainage Easement for the appurtenant drainage has vested in the County as shown in a maintenance map being filed with the Clerk of the Circuit Court. The Road and Bridge Division director has certified the limits of maintenance on the maintenance map. <u>District 3</u> (LBH)

Background and Justification: In 1983 and 1985, a paper right—of-way for a proposed crossroad (Holt Road), which included the drainage infrastructure for the Streets, was abandoned. However the drainage infrastructure that supports and is appurtenant to the adjoining Streets remained. The County, through a Municipal Service Taxing Unit project (2000-130) reconstructed and accepted the Streets for maintenance on October 19, 2004. The Engineering Department is currently planning to repair portions of the drainage infrastructure serving the Streets. A maintenance map is being filed for the Drainage Easement to identify the appurtenant drainage and certify the limits of maintenance that have been established by the Engineering Department's Road and Bridge Division and Survey Section. After reviewing the attached maintenance map and finding it in proper order, staff recommends approval.

### **Attachments:**

- 1. Location Map
- 2. Resolution
- 3. Maintenance Map (34" X 44" Mylar)

Recommended by:		
iyecommended by:	- Joen L Men	10 DEC 2018
211	County Engineer	Date
	Pio	1-110
Approved by:	" de	113119
	Assistant County Administrator	Date

### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	<b>\$ -0-</b>	0-	-0-		<u>-0-</u>
<b>Operating Costs</b>	-0-	-0-	-0-		
External Revenues	0-	0-	-0-	-0-	<u>-0-</u>
Program Income (County)	-0-	-0-	-0-	0-	<u>-0-</u>
In-Kind Match (County)	-0-	-0-	-0-		
NET FISCAL IMPACT	\$ ** <u> </u>		-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 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:

### III. REVIEW COMMENTS

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

OFMB 030 3 12/10 m 12/1

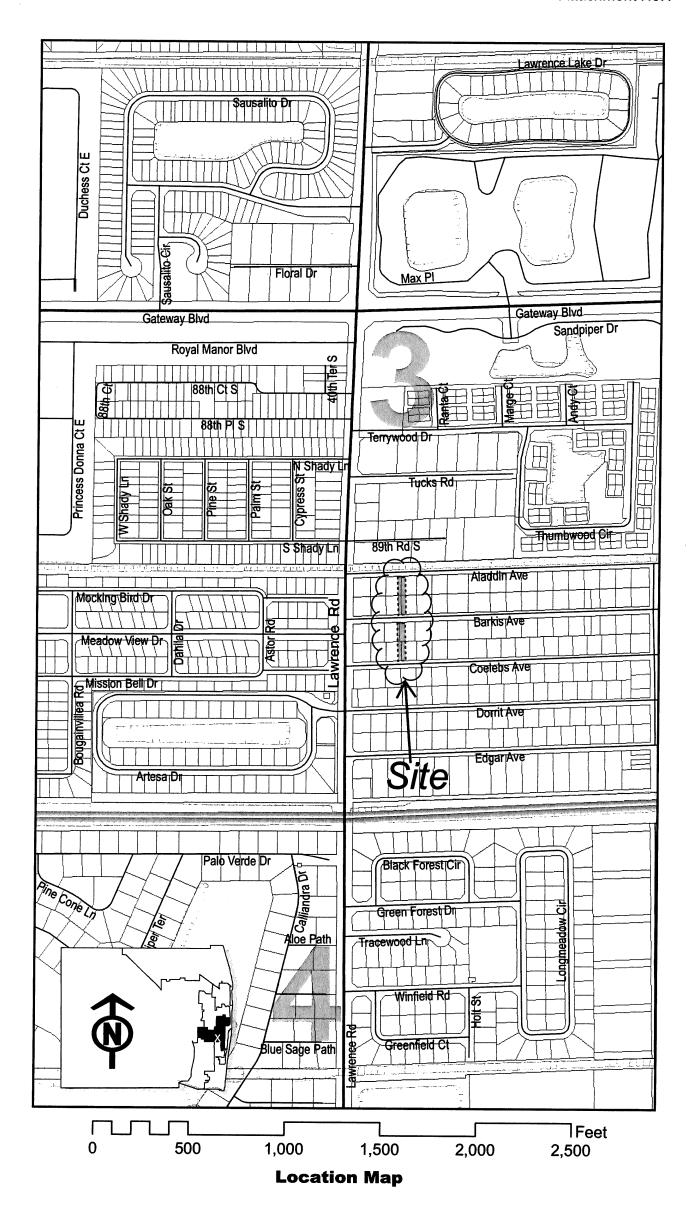
B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

**Department Director** 

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



RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO APPROVE THE RECORDATION AND FILING OF A MAINTENANCE MAP FOR DRAINAGE INFRASTRUCTURE ASSOCIATED WITH ALADDIN AVENUE, BARKIS AVENUE AND COELEBS AVENUE IN SECTION 19, TOWNSHIP 45 SOUTH, RANGE 43 EAST, WITH THE CLERK OF THE CIRCUIT COURT OF AND FOR PALM BEACH COUNTY, FLORIDA

WHEREAS, the Drainage Infrastructure Associated with Aladdin Ave., Barkis Ave. & Coelebs Ave. Maintenance Map has been submitted to the Board of County Commissioners (BCC) for approval for filing for records; and

WHEREAS, Florida Statute Section 95.361(1) states that when a road constructed by the County has been maintained or repaired continuously and uninterruptedly for four years by the County, the road shall be deemed to be dedicated to the public to the extent in width that has been actually maintained. The dedication shall vest all right, title, easement, and appurtenances in and to the road in the County; and

WHEREAS, the maintenance map, shall be filed at the office of the Clerk of the Circuit Court (Clerk) of the county where the road is located. The maintenance map shall recite on it that the drainage easement is vested in the County and shall be duly certified by the Clerk and the Mayor of the Board. Said filing shall be prima facie evidence of ownership by the county; and

WHEREAS, the Road and Bridge Division Director has certified that Palm Beach County (County) has maintained the County roads designated as Aladdin Ave., Barkis Ave. & Coelebs Ave. ("Roads") for more than four years, as required by Section 95.361(1); and

WHEREAS, pursuant to Section 95.361(1), the Roads have been deemed dedicated to the public to the extent in width, as shown on the maintenance map, and the drainage easement, as shown thereon, has vested in the County, as appurtenances to the Roads.

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 Mayor of the BCC and the County Engineer are hereby authorized to sign the maintenance map and the Clerk is authorized to sign same.

# RESOLUTION NO. R-2019

The foregoing Resolution was offered by Co	ommissioner	who moved its
adoption. The motion was seconded by Comr		
to a vote, the vote was as follows:		
Commissioner Mack Bernard, Mayor		_
Commissioner Dave Kerner, Vice Mayor	-	_
Commissioner Hal R. Valeche		_
Commissioner Gregg K. Weiss		_
Commissioner Robert S. Weinroth	· <del></del>	_
Commissioner Mary Lou Berger		-
Commissioner Melissa McKinlay		-
The Mayor thereupon declared the Resolution, 20	on duly passed and adopted	this day of
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	PALM BEACH COUNTY	
	SHARON R. BOCK CLERK & COMPTROL	LER
By:ybh Yelizaveta B. Herman, Assistant County Attorney	By: Deputy C	lerk

### LEGAL DESCRIPTION OF EASEMENT AREA CLAM BY MAINTENANCE

THREE (3) PARCELS OF LAND FOR DRAMAGE EASEMENT PURPOSES BENG A PORTION OF PLAT NO. I WEST BOYNTON AS RECORDED IN PLAT BOOK 14, PAGE 42, SITUATED IN SECTION 19, TOWNSHIP 45 SOUTH, RANGE 43, EAST, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENSION AT THE MORTHWEST CORNER OF SAID SECTION 19, THEMCE NORTH 87\*44\*36" EAST ALONG THE NORTH LIKE OF SAID SECTION 19, A DISTANCE OF 606.II FEET THENCE SOUTH OZ "1500" EAST AT BROTH NOLES TO SAID SECTION 19, A DISTANCE OF 7.00 FEET TO THE SOUTH RIGHT-OF-WAY LIKE OF ALADON AVENUE AS SHOWN ON SAID DEFAULT OF 7.00 FEET TO THE SOUTH OF BECAMIN ON. I THENCE SOUTH DO 3755 EAST, A DISTANCE OF 7.00 FEET TO THE NORTH SOUTH OF THE TOTAL OF THE SOUTH OF SAID STANCE OF 7.00 FEET TO THE NORTH SOUTH OF THE SOUTH OS THE SAID STANCE OF 7.00 FEET TO THENCE SOUTH BBY 30'21" WEST, A DISTANCE OF 3.00 FEET TO THENCE SOUTH BBY 30'21" WEST, A DISTANCE OF 3.00 FEET TO THENCE SOUTH BBY 30'21" WEST, A DISTANCE OF 3.00 FEET THENCE SOUTH BBY 50'21" MEST, A DISTANCE OF 3.00 FEET THENCE SOUTH BBY 50'21" MEST, A DISTANCE OF 3.00 FEET THENCE SOUTH BBY 50'21" MEST, A DISTANCE OF 3.00 FEET THENCE SOUTH BBY 50'21" MEST, A DISTANCE OF 3.00 FEET THENCE SOUTH BBY 50'21" MEST, A DISTANCE OF 3.00 FEET THENCE SOUTH BBY 50'21" MEST, A DISTANCE OF 3.00 FEET THENCE NORTH SOUTH S

ALSO TOGETHER WITH:

PARCEL NO. 3

ALL THREE (3) PARCEL FOR DRAMAGE EASEMENT PURPOSES CONTAIN 11,327 SQUARE FEET OR 0.260

#### PUBLIC DRAMAGE EASEMENT DEDICATION OF AREAS SHOWN HEREON BY MAINTENANCE

DATE: MACK BERNARD MAYOR, BOARD OF COUNTY COMMISSIONERS SHARON R. BOCK CLERK AND COMPTROLLER DAVID L. RICKS, P.E. COUNTY ENGINEER

THIS IS TO CERTIFY THAT THE COUNTY ROADS SHOWN HEREON, AS ALADON AVE., BARKIS AVE.

B. COCLEDS AVE. HAVE BEEN MANTANED, KEPT IN REPEAR AND WORKED ON CONTINUOUSLY AND

MILE OF THE STATE OF THE STATE OF THE SHOWN HEREON, FOR A PERIOD OF MORE
HAMF FORM THE STATE OF THE STATE OF THE STATE OF THE STATE
AS SHOWN HEREON, IS A THILE AND CORNECT REPRESENTATION OF THE APPLIERANCES IN AND

SAIR COUNTY BRIDE.

DARYL W. DAWSON
DIRECTOR, ROAD AND BRIDGE DIVISION
ENGINEERING AND PUBLIC WORKS
PALM BEACH COUNTY, FLORIDA

# COUNTY OF PALM BEACH STATE OF FLORIDA

**BOARD OF COUNTY COMMISSIONERS** PROJECT NO. 2017050.300

## DRAINAGE INFRASTRUCTURE ASSOCIATED WITH ALADDIN AVE, BARKIS AVE & COELERS AVE

MAINTENANCE MAP - SPECIFIC PURPOSE SURVEY

HAL R. VALECHE DISTRICT 1

GREGG K. WEISS DISTRICT 2

ROBERT S. WEINROTH DISTRICT 4

MELISSA MCKINLAY DISTRICT 6

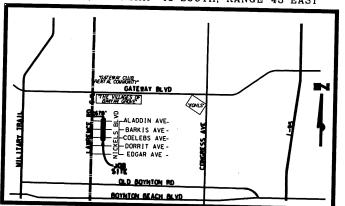


DAVE KERNER DISTRICT 3

MARY LOU BERGER DISTRICT 5

> MACK BERNARD DISTRICT 7

SECTION 19. TOWNSHIP 45 SOUTH, RANGE 43 EAST



LEGEND

PCN = PROPERTY CONTROL NUMBER
(PBC) = PALM BEACH COUNTY

W.V. - WATER VALVE

F.H. = FIRE HYDRANT

R/W = RIGHT OF WAY
O.R.B. = OFFICIAL RECORD BOOK
R.P.B. = ROAD PLAT BOOK
P.B. = PLAT BOOK

TREES (AS NOTED)

#### SURVEYOR'S REPORT

THIS IS A MAINTENANCE MAP SHOWING THE DRAINAGE INFRASTRUCTURE ASSOCIATED WITH THE DRAINAGE OF THE PUBLIC RIGHTS OF WAY FOR ALADDIN AVE BARKIS AVE MAN COCKLESS AVE WITHIN THE PLAT OF PLAT OF PLAT WAS RECORDED IN PLAT BOOK 14. PAGE 42 OF THE PLAT OF PLAT OF PLAT BOOK 14. PAGE 42 OF THE PLAT OF PLAT OF PLAT BOOK 14. PAGE 42 OF THE PLAT OF PLAT OF PLAT BOOK 14. PAGE 42 OF THE PLAT OF PLAT OF PLAT BOOK 14. PAGE 42 OF THE PLAT OF PLAT BOOK 14. PAGE 42 OF THE PLAT OF PLAT BOOK 14. PAGE 42 OF THE PLAT BOOK 14. P

THE PROJECT LIMITS WERE ESTABLISHED USING CONVENTIONAL SURVEYING PROCEDURES AND A FIELD SURVEY WAS DONE TO ESTABLISH THE PAYEMENT LOCATIONS. IMPROVEMENTS AND THE MODIFICATIONAL VALUES AS SHOWN ON THIS SURVEY. THE BOUNDARY OF THE EASEMENTS WERE NOT MONMENTED.

THE PROJECTS FIELD CONTROL WAS ESTABLISHED USING ACCEPTABLE RTM OPSPROCEDURES IN COMBINATION WITH THE TRINGLE WESHOR NETWORK. THE RTM
SUNCEY WAS CALIBRATED TO THE "COUNTY WIDE CALIBRATED NOP" FEE
IN USE BY PALM BEACH COUNTY SURVEY SECTION IN ORDER TO ESTABLISH
STATE PLANE COORDINATES ON THE SURVEY CONTROL POINTS. A CONVENTIONAL
LEVEL RUN WAS DONE IN ORDER TO ESTABLISH STATE PLANE EXISTING BENCHMARN "CENT" WAS RECOVERED FROM
PALM BEACH COUNTY'S DATABASE AND USED AS A CHECK SHOT.

ESTABLISHED CONTROL BASED ON THE MEASUREMENTS SHOWN, MEET OR EXCEED THE RELATIVE DISTANCE ACCURACY REQUIREMENT OF 1110.000 (COMMERCIAL/HIGH RISK) REQUIRED BY THIS SURVEY.

THE COORDINATES, POSITION AND ORIENTATION OF THIS SURVEY CONFORMS TO THE FLORIDA STATE PLANE COORDINATE SYSTEM. TRANSVERSE MERCATOR PROJECTION, FLORIDA EAST ZONE, ON THE MORTH AMERICAN DATUM OF 1883, 1990 ADJUSTMENT, ON FILE IN THE OFFICE OF THE COUNTY ENGINEER

A DEED SEARCH HAS BEEN DONE BY THE RIGHT OF WAY SECTION ON THE SUBJECT SITE AND NO EASEMENTS EXIST OTHER THAN WHAT IS SHOWN ON THIS SUBJECT.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR.

THIS INSTRUMENT PREPARED BY CLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER. VISTA CENTER 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

UNDERGROUND FOUNDATIONS AND UTILITIES MAY BE PRESENT. NO UNDERGROUND FOUNDATIONS OR UTILITIES WERE LOCATED BY THIS SURVEY.

DATE OF AERIAL PHOTO BY OTHERS 06/07/2017. THIS IS AN ORTHO-IMAGE OR ORTHO-PHOTO. THE PHOTO WAS NOT CONTROLLED. TARGETED OR FIELD VERIFIED BY THE SIGNING SURVEYOR AND IS FOR INFORMATIONAL PURPOSES ONLY.

THE BEARINGS SHOWN HEREON ARE GRID (NAD 83/90) BASE ON A BEARING OF NAT'44'55"E ALONG THE NORTH LINE OF SECTION 19. TOWNSHIP 45 SOUTH. RANGE 43 EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

THE SCALE FACTOR FOR THIS AREA IS 1,000039005.

THE DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

SURVEY FILE NAME: 2017-05. S-3-17-3853.DGN

FIELD WORK COMPLETED 04/20/2017. IN FIELD BOOK 1156 I. PAGES 46-55. PROJECT RENCHMARK

ELEVATION - 18.482'(NAVD88)

TO REACH THE STATION, PROCEED TO ITS LOCATION 24 FEET NORTH OF THE CENTERLINE OF ALADON AVENUE ON THE EAST SOC OF LAWRENCE ROAD. THE STATION IS A PALM BEACH COUNTY BRASS DISK, SET ON THE WEST EDGE OF A CONCRETE SDEWALK AND STAMED OF CORN. THE STATION IS LOCATED 5.8 FEET WEST THE STATION OF THE CONCRETE SOUTH OF THE CENTERLINE OF THE CANAL, MEDS 3.35, 17.0 FEET NORTH OF THE WEST END OF A CHANKINK FENCE. RECOVERED 12/15/2018

### SURVEYOR'S CERTIFICATE

INTEREST CERTIFY THAT THE WANTENANCE MAP AND SPECIFIC PURPOSE SURVEY PRESENTED HEREM IS THE RESULT OF A FELD SURVEY CONDUCTED UNDER MY DIRECTION. THIS MAP DEPICTS THE LOCATION OF FURLED DAMAGE SPREATINGTURE ASSOCIATION OF THE PROPAMAGE OF ROOM-IS-OF-WAY AND AREAS DIVISION WITHIN THE CORRESPONDED FOR THE CERTIFICATION OF THE DIRECTION OF THE FORM AND BRODGE DIVISION WITHIN THE CORRESPONDED FOR THE CERTIFICATION OF THE DIRECTION FEET THE FLORIDA STANDARDS OF PRACTICE AS EXPERIENT OF THE FLORIDA DOWN OF PROFESSIONAL LAND SURVEYORS IN RULE SJ-17.050-.052, FLORIDA ADMINISTRATIVE COOR, PURSUANT TO CHAPTEN AT 2.2027, FLORIDA

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 5304

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR





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ATTACHME AGES OF

