

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 18, 2019	<input type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input checked="" type="checkbox"/> Public Hearing
Department:	Engineering and Public Works	
Submitted By:	Engineering and Public Works	
Submitted For:	Land Development Division	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution abandoning any public interest in a portion of a 30-foot wide unimproved right-of-way (ROW) lying in Block 28, Palm Beach Farms Company Plat No. 3, according to the plat thereof, as recorded in Plat Book 2, Page 45 (Abandonment Site), Public Records of Palm Beach County (County).

SUMMARY: Adoption of this Resolution will eliminate the public dedication that is in conflict with future redevelopment plans by Lake Worth Road Villas, LLC (Petitioner). The Abandonment Site is located ¼ mile south of Lake Worth Road and immediately west of the Lake Worth Drainage District E-2W Canal. All reviewing agencies and utility service providers have approved this abandonment. The Engineering Department has determined that the Abandonment Site is surplus and serves no present or future public purpose. District 6 (YBH).

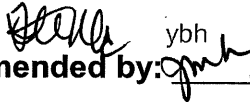
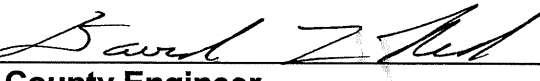
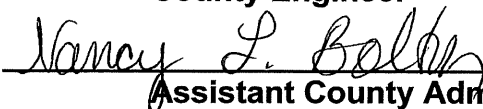
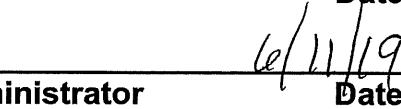
Background and Policy Issues: The Petitioner has requested the County clear this encumbrance to allow for development of the site. The Abandonment Site will be incorporated into the future residential development. The westerly extension of this ROW was previously abandoned by Resolution R-2016-1544. The Engineering Department advertised this public hearing on Sunday, June 2, 2019.

Privilege Fee Statement: In accordance with County Code Chapter 22, Article III, Road Abandonment and Plat Vacation, Ordinance No. 2002-034, the Abandonment Site is subject to a privilege fee of \$20,126.75. The calculations are as follows:

Total sq. ft. of ROW of Abandonment Site	14,627 square feet
Total sq. ft. subject to a Privilege Fee.	14,627 square feet
Average sq. ft. value of abutting parcels.	\$1.72
Overall Abandonment Site value.	\$25,158.44
80% of value	\$20,126.75
Less Filing Fee:	-1,600.00
Total Privilege Fee Due	\$18,526.75

- Attachments:**
- 1. Location Sketch
 - 2. Resolution with Exhibit 'A'

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Recommended by: 		5/29/19
	County Engineer	Date
Approved By: 		6/11/19
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(\$18,527)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	(\$18,527)	-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 ☒

Budget Acct No.: Fund 3500 Dept. 800 Unit 8005 Rev Src 6425

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
Abandonment Ordinance Fees

If approved the petition is subject to a privilege fee of \$18,526.75

C. Departmental Fiscal Review: Aliikovalainen

III. REVIEW COMMENTS

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

Rajen Kaur 6/6/19
OFMB
Jm 6/5

Ann J. Jacobson 6/10/19
Contract Dev. and Control
6/10/19 EW

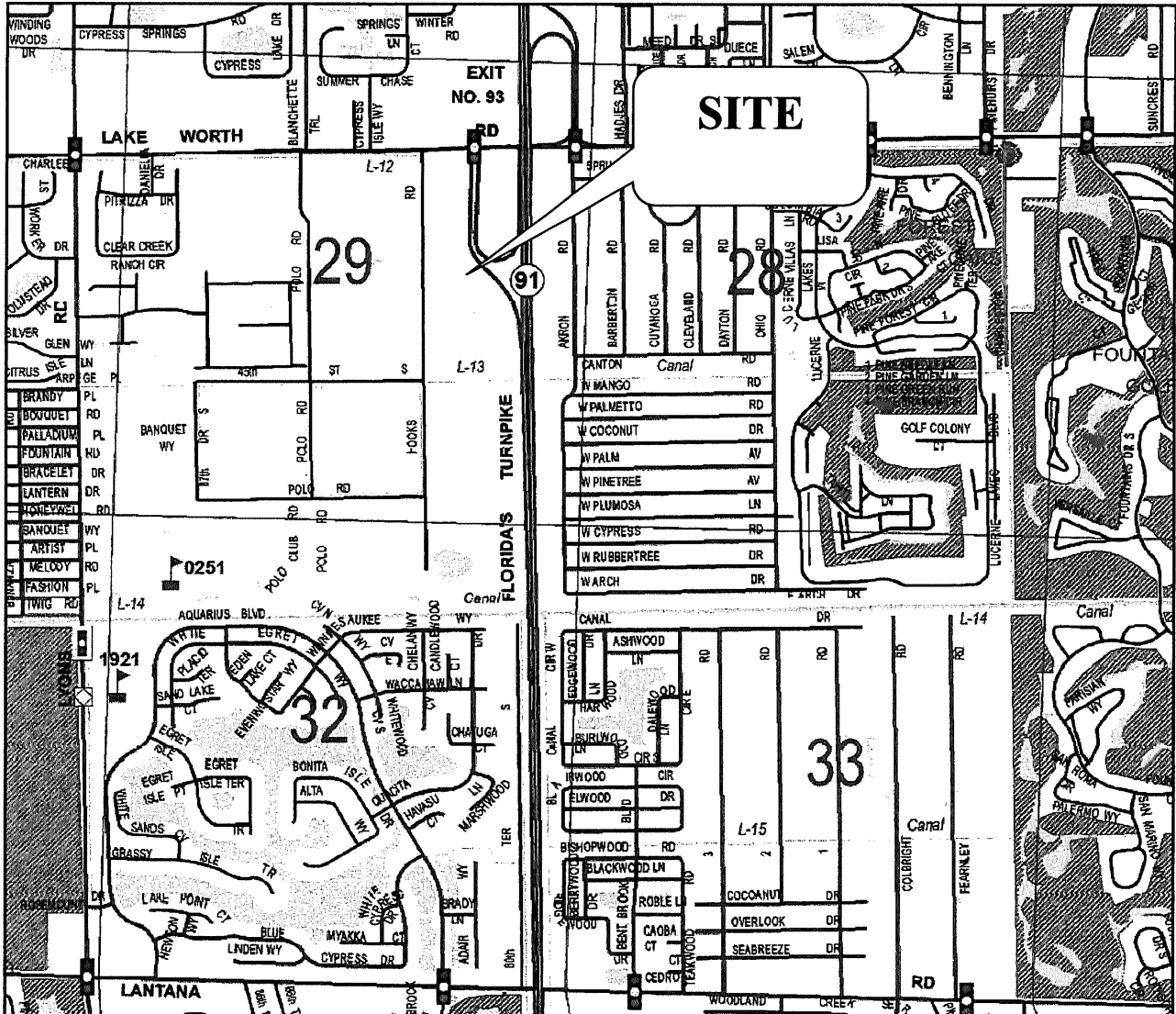
B. Approved as to Form and Legal Sufficiency:

M. B. Herman 6/11/19
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION SKETCH



N (Not to scale)

A PORTION OF A 30-FOOT WIDE UNIMPROVED RIGHT-OF-WAY LYING IN BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

RESOLUTION NO. R-2019-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ANY PUBLIC INTEREST IN A PORTION OF A 30-FOOT WIDE UNIMPROVED RIGHT-OF-WAY LYING IN BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY.

WHEREAS, the Board of County Commissioners (BCC) of Palm Beach County, Florida, pursuant to authority in Section 336.09 Florida Statutes, and as provided in the Palm Beach County (County) Code Chapter 22, Article III, Road Abandonment and Plat Vacation Ordinance No. 2002-034, known as the County Right-of-Way Abandonment and Plat Vacation Ordinance (Ordinance), and the petition of Lake Worth Road Villas, LLC called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, 301 North Olive Avenue, West Palm Beach, Florida, on June 18, 2019, to consider and determine whether Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the County and the public in and to a portion of a 30 foot wide unimproved right-of-way lying in Block 28, Palm Beach Farms Company Plat No. 3, according to the plat thereof, as recorded in Plat Book 2, Page 45 as shown in **Exhibit A**; and

WHEREAS, in accordance with the Ordinance, notice of the holding of such meeting was duly published in the Palm Beach Post on June 2, 2019; and

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

WHEREAS, the BCC held said hearing as advertised and determined that such action will not materially interfere with the County Road System and will not deprive any person of a reasonable means of ingress and egress from at least one County, State or Federal highway.

RESOLUTION NO. R-2019-_____

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. A portion of a 30-foot wide unimproved right-of-way lying in Block 28, Palm Beach Farms Company Plat No. 3, according to the plat thereof, as recorded in Plat Book 2, Page 45 is hereby abandoned and closed and the BCC does hereby renounce and disclaim any right or interest of the County and the Public in and to the right-of-way, 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 one time in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10 Florida Statutes and the Ordinance.

(Remainder of page left intentionally blank)

RESOLUTION NO. R-2019-_____

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 Mack Bernard, Mayor

Commissioner Dave M. Kerner, Vice Mayor

Commissioner Hal R. Valeche

Commissioner Gregg K. Weiss

Commissioner Robert S. Weinroth

Commissioner Mary Lou Berger

Commissioner Melissa McKinlay

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2019.

**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: ybh _____
Yelizaveta B. Herman,
Assistant County Attorney

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF A 30 FOOT WIDE RIGHT-OF-WAY LYING IN BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT 15, BLOCK 28, OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, SAID POINT ALSO BEING A POINT ON THE EAST LINE OF FIELDS AT GULFSTREAM POLO PUD - PLAT ONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 80, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 89°03'30" EAST, ALONG THE SOUTH LINE OF SAID TRACT 15, ALSO BEING THE NORTH LINE OF SAID 30 FOOT WIDE RIGHT-OF-WAY, A DISTANCE OF 477.40 FEET TO A POINT ON THE EXISTING WESTERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT E-2W CANAL RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 24358, PAGE 1059, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING A POINT ON A 552.19 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, AND WHOSE CENTER BEARS NORTH 56°10'11" EAST, FROM SAID POINT; THENCE SOUTHEASTERLY ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 3°47'27", A DISTANCE OF 36.53 FEET TO A POINT OF NON-TANGENCY, SAID POINT BEING A POINT ON THE NORTH LINE OF TRACT 18, BLOCK 28 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 3, ALSO BEING THE SOUTH LINE OF SAID 30 FOOT WIDE RIGHT-OF-WAY; THENCE SOUTH 89°03'30" WEST, ALONG SAID NORTH LINE OF TRACT 18 AND THE SOUTH LINE OF SAID 30 FOOT WIDE RIGHT-OF-WAY, A DISTANCE OF 498.24 FEET TO A POINT ON SAID EAST LINE OF FIELDS AT GULFSTREAM POLO PUD - PLAT ONE; THENCE NORTH 00°56'30" WEST ALONG SAID EAST LINE OF FIELDS AT GULFSTREAM POLO PUD - PLAT ONE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,627 SQUARE FEET OR 0.336 ACRES MORE OR LESS.

THE BOUNDARY SURVEY PROVIDED HEREON MEETS THE REQUIREMENTS AS ESTABLISHED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PER CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE AND THE STANDARDS OF PRACTICE PURSUANT TO CHAPTER 472 FLORIDA STATUTES.

UNLESS THIS DOCUMENT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, MAP, SKETCH OR PLAT IS FOR INFORMATION PURPOSES ONLY AND IS NOT VALID.

DATE : 2/4/2019

LESLIE C. BISPOTT
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER 5698

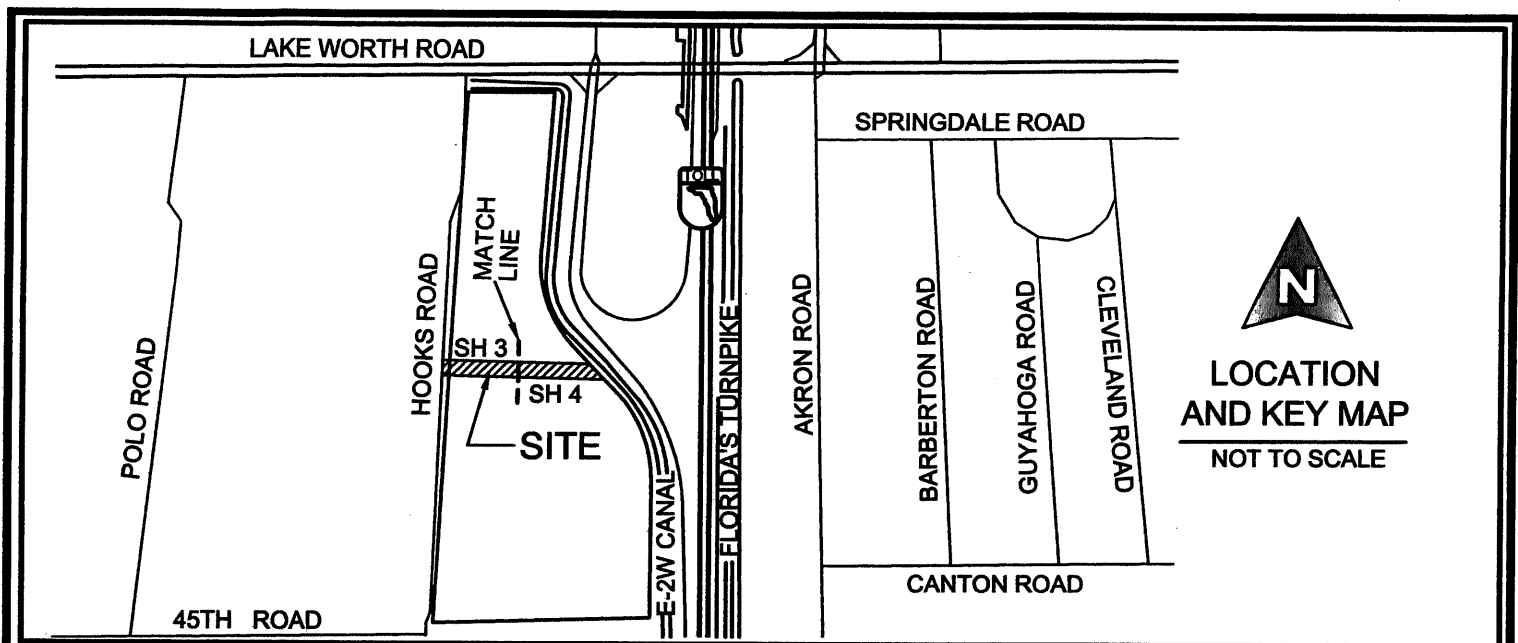
REVISE PER PALM BEACH COUNTY COMMENTS DATED DECEMBER 18, 2018 LCB



MICHAEL B. SCHORAH & ASSOCIATES, INC.			
1850 FOREST HILL BLVD., SUITE 206 WEST PALM BEACH, FLORIDA 33406			
EB# 2438	TEL. (561) 968-0080	FAX. (561) 642-9726	LB# 2438
FIELD: N/A	DRAWN: L.C.B.	SCALE: 1" = 50'	
BOOK: N/A	DATE: AUGUST, 2018	PROJ. FILE	CADDFILE
PAGE: N/A	CHECKED: C.S.P.	1708 ABAN_30 PBF RW	

BOUNDARY SURVEY	
30 WIDE RIGHT-OF-WAY	
BLOCK 28, PALM BEACH	
FARMS COMPANY PLAT NO. 3	
SHEET NO. 1 OF 4	JOB NO. 1708

EXHIBIT A



LEGEND

P.O.B. = POINT OF BEGINNING	C.M. = PERMANENT REFERENCE MONUMENT
O.R.B. = OFFICIAL RECORD BOOK	NO. = NUMBER
P.B. = PLAT BOOK	IR&C = IRON ROD & CAP
P.B.C. = PALM BEACH COUNTY	GND = GROUND
R/W = RIGHT-OF-WAY	E.O.W. = EDGE OF WATER
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER	SH = SHEET
⊙ = CENTERLINE	□ — □ = WOOD FENCE
⊙ = DENOTES FOUND PALM BEACH COUNTY DISK IN CONCRETE	x — x — x = CHAIN LINK FENCE
○ = SET 1/2" IRON ROD AND CAP STAMPED LB 2438	

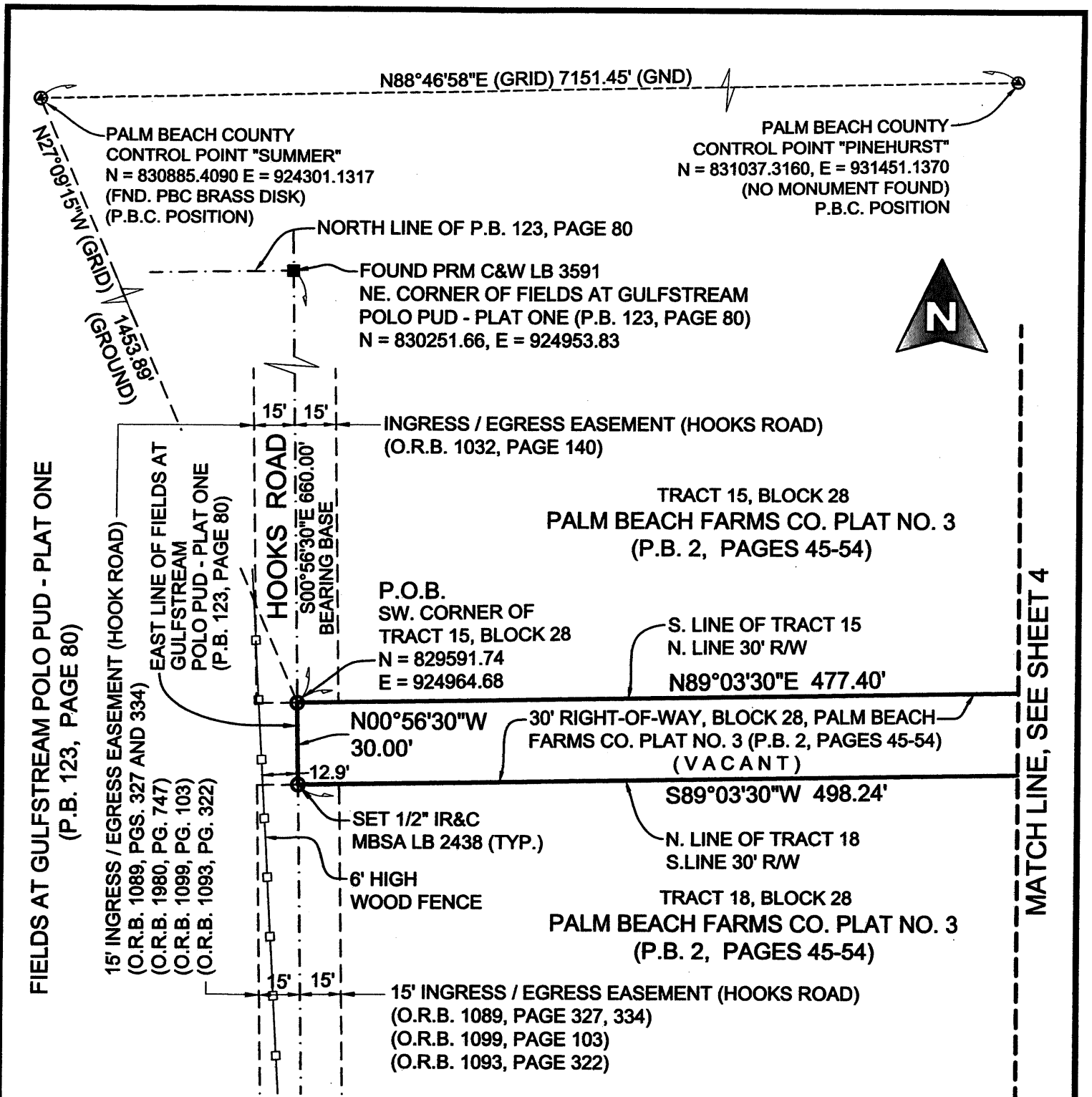
SURVEYOR'S NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE.
2. BEARINGS, AS SHOWN HEREON, ARE BASED UPON THE EAST LINE OF FIELDS AT GULFSTREAM POLO PUD PLAT ONE, AS RECORDED IN PLAT BOOK 123, PAGE 80, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, HAVING A GRID BEARING OF NORTH 00°56'30" WEST, WHICH IS RELATIVE TO THE NORTH AMERICAN DATUM (N.A.D.) 83, 1990 ADJUSTMENT.
3. NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED BY THIS OFFICE.
4. THE RIGHT-OF-WAY IS CURRENTLY UNIMPROVED AND THERE ARE NO UTILITIES OR ANY OTHER VISIBLE IMPROVEMENTS WITHIN THIS RIGHT-OF-WAY PARCEL.
5. REFER TO AMERICAN LAND TITLE ASSOCIATION COMMITMENT (SCHEDULE B-II) ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FILE NUMBER: 19011148, HAVING A COMMITMENT DATE OF JANUARY 14, 2019 AT 8:00 AM.

THE PROPERTY SHOWN HEREON IS SUBJECT TO:

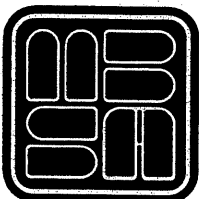
1. ALL MATTERS CONTAINED ON THE PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45. (EXCEPTION 8) APPLICABLE AS SHOWN.

	MICHAEL B. SCHORAH & ASSOCIATES, INC. 1850 FOREST HILL BLVD., SUITE 206 WEST PALM BEACH, FLORIDA 33406			BOUNDARY SURVEY 30 WIDE RIGHT-OF-WAY BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3	
	EB# 2438	TEL. (561) 968-0080	FAX. (561) 642-9726	LB# 2438	
	FIELD: N/A	DRAWN: L.C.B.	SCALE: 1" = 50'		
	BOOK: N/A	DATE: AUGUST, 2018	PROJ. FILE CADDFILE		
	PAGE: N/A	CHECKED: C.S.P.	1708 ABAN_30 PBF RW	SHEET NO. 2 OF 4	JOB NO. 1708

EXHIBIT A

COORDINATE NOTES:

STATE PLANE COORDINATES SHOWN ARE GRID DATUM, NAD 83, 1990 ADJUSTMENT, FLORIDA EAST ZONE, COORDINATE SYSTEM 1983 STATE PLANE, TRANSVERSE MERCATOR PROJECTION, LINEAR UNIT = US SURVEY FEET. ALL DISTANCES ARE GROUND (UNLESS OTHERWISE SHOWN); SCALE FACTOR = 1.0000236
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE



**MICHAEL B. SCHORAH
& ASSOCIATES, INC.**

**1850 FOREST HILL BLVD., SUITE 206
WEST PALM BEACH, FLORIDA 33406**

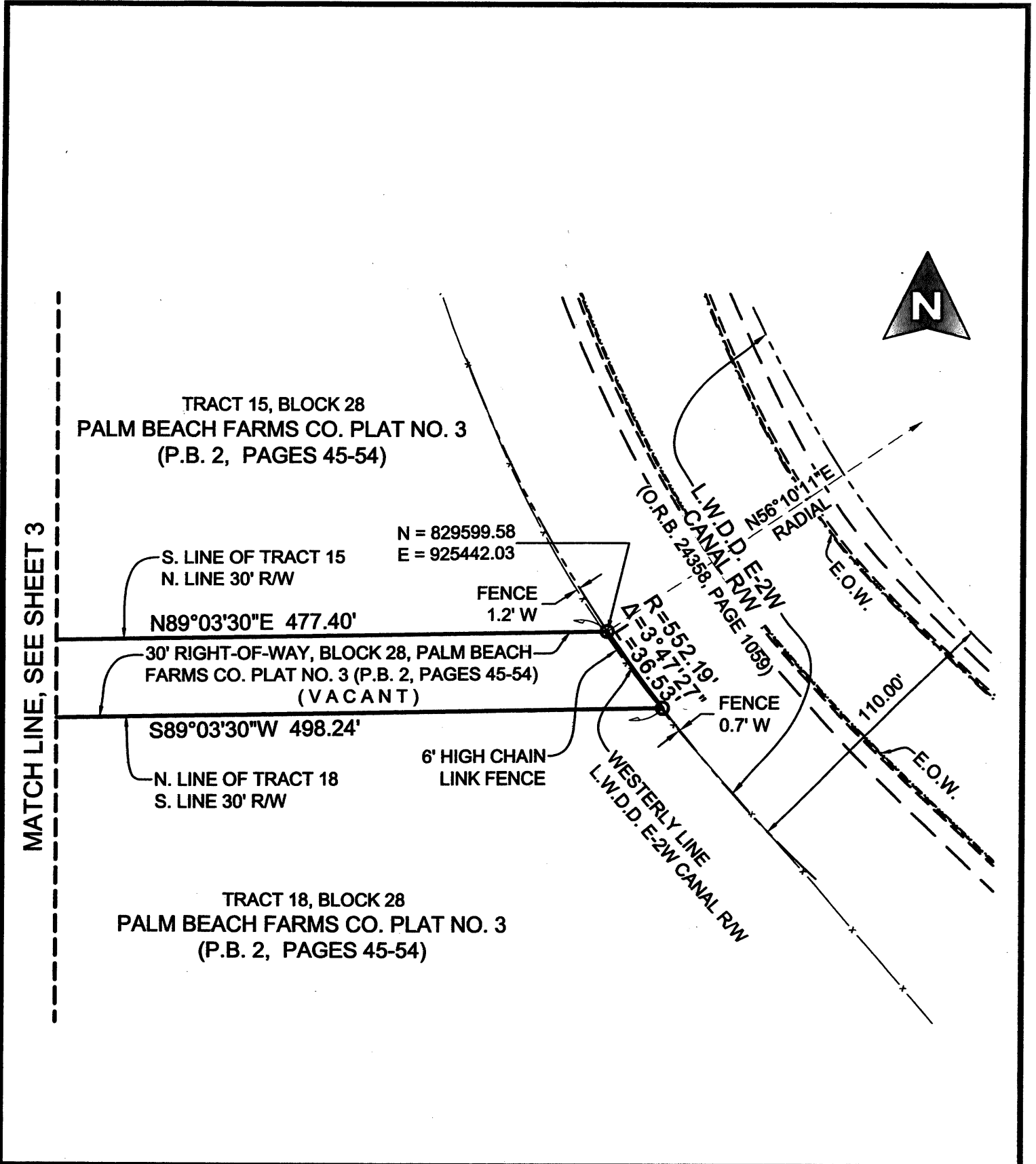
WEST PALM BEACH, FLORIDA 33408
 EB# 2438 TEL. (561) 968-0080 FAX. (561) 642-9726 LB# 2438

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BOOK: N/A	DATE: AUGUST, 2018	PROJ. FILE CADDFILE
PAGE: N/A	CHECKED: C.S.P.	1708 ABAN 30 PBF RW

**BOUNDARY SURVEY
30 WIDE RIGHT-OF-WAY
BLOCK 28, PALM BEACH
FARMS COMPANY PLAT NO. 3**

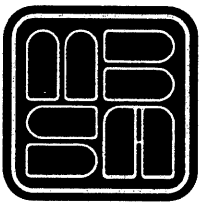
SHEET NO. 3 OF 4	JOB NO. 1708
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EXHIBIT A



MATCH LINE, SEE SHEET 3



	MICHAEL B. SCHORAH & ASSOCIATES, INC. 1850 FOREST HILL BLVD., SUITE 206 WEST PALM BEACH, FLORIDA 33406 TEL. (561) 968-0080 FAX. (561) 642-9726 LB# 2438			BOUNDARY SURVEY 30 WIDE RIGHT-OF-WAY BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3	
	FIELD: N/A	DRAWN: L.C.B.	SCALE: 1" = 50'		
	BOOK: N/A	DATE: AUGUST, 2018	PROJ. FILE CADDFILE		
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