

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

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Meeting Date: October 22, 2019	[X] Consent [] Workshop	[] Regular [] Public Hearing
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Department: Engineering and Public Works
Submitted by: Engineering and Public Works
Submitted for: Land Development Division

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution abandoning any public interest in all of a 669-foot long utility easement as depicted on the plat of Golf and Tennis Club of Villages of Oriole (Abandonment Site), recorded in Plat Book 31, Page 213, of the Public Records of Palm Beach County (County), lying in Section 16, Township 46 South, Range 42 East, Palm Beach County.

SUMMARY: Adoption of this Resolution will eliminate the public dedication that is in conflict with future development plans by 13 FH Avalon LP (Petitioner). The abandonment site is located west of Jog Road and ¼ mile north of Atlantic Avenue. All reviewing agencies and utility service providers have approved this abandonment, and the Engineering Department has determined that the utility easement serves no present or future public purpose .District 5 (YBH)


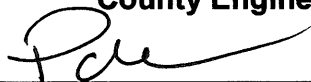
Background and Justification: The petitioner has requested the County clear this encumbrance to allow for incorporation of the abandonment site in the redevelopment of the former golf course into additional residential units under the approved final master plan for Zoning Control Number 1981-139.

Easements are exempt from the privilege fee requirement as provided in Palm Beach County Code of Ordinances Chapter 22, Article III, Road Abandonment and Plat Vacation, Ordinance 2002-034.

Attachments:

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

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<div style="text-align: center;"><i>Stanc</i> <i>YBH</i></div> Recommended by: YBH	<div style="text-align: center;"> _____ County Engineer</div>	<div style="text-align: center;">7/23/2019 _____ Date</div>
Approved by:	<div style="text-align: center;"> _____ Assistant County Administrator</div>	<div style="text-align: center;">10/8/19 _____ Date</div>

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
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 X No
Does this item include the use of federal funds? Yes No X

Budget Acct No.: Fund ____ Dept. ____ Unit ____ Rev Src ____

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
Abandonment Ordinance Fees

**This item has no fiscal impact. The abandonment site is not subject to a privilege fee as easements are exempt.

C. Departmental Fiscal Review: . Alice Kovalainen

III. REVIEW COMMENTS

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

Lisa B. 9/24/19
9/24 OFMB DE 9/24 ASD
9/24

Ann J. Javelle 10/4/19
Contract Dev. and Control
10/3/19 TW

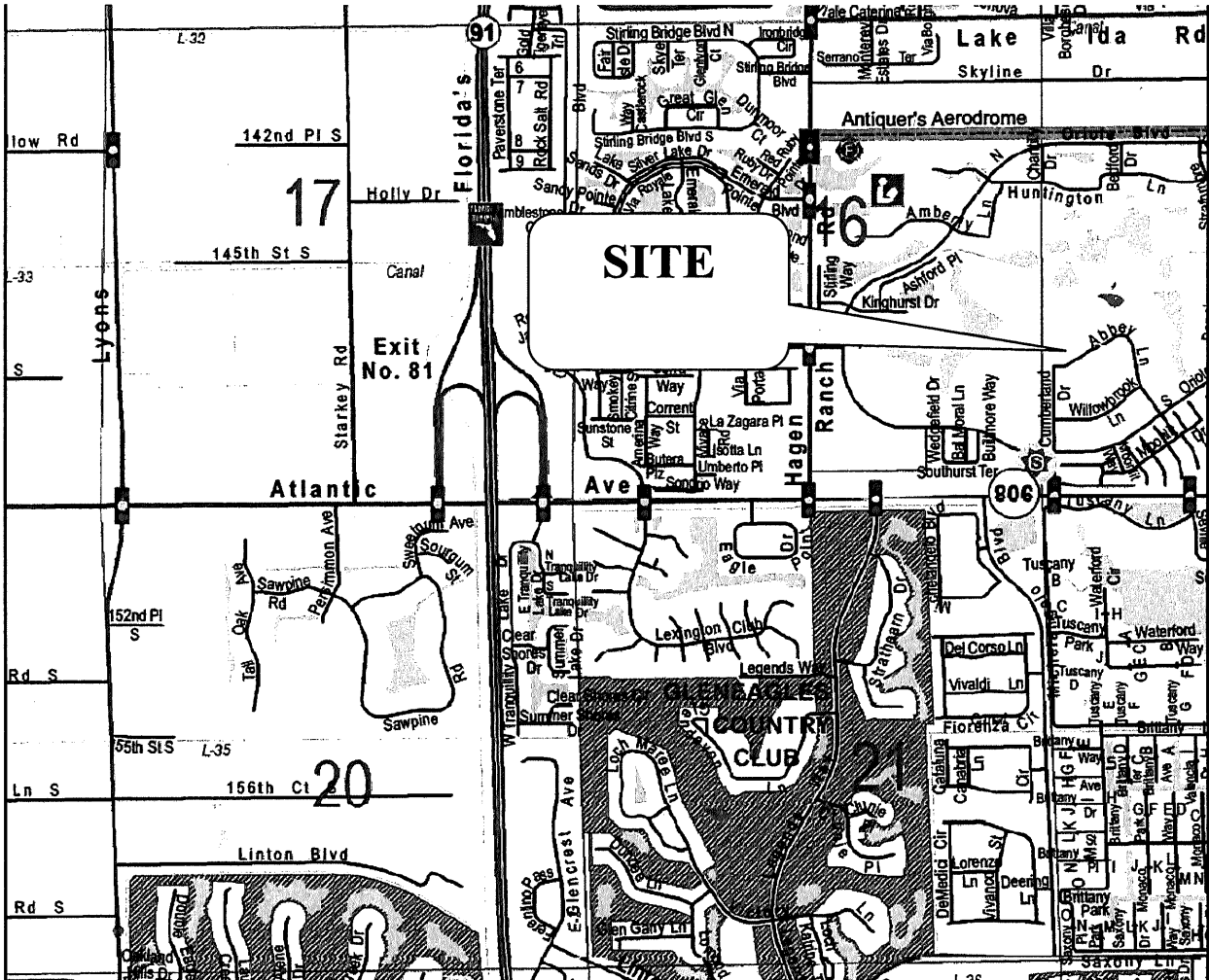
B. Approved as to Form
and Legal Sufficiency:

M. B. Herman 10/8/19
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)

ALL OF A 669-FOOT LONG UTILITY EASEMENT AS
DEPICTED ON THE PLAT OF GOLF AND TENNIS CLUB
OF VILLAGES OF ORIOLE, RECORDED IN PLAT BOOK
31, PAGE 213, OF THE PUBLIC RECORDS OF PALM
BEACH COUNTY.

RESOLUTION NO. R-2019-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING ANY PUBLIC INTEREST IN ALL OF A 669-FOOT LONG UTILITY EASEMENT AS DEPICTED ON THE PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE, RECORDED IN PLAT BOOK 31, PAGE 213 PUBLIC RECORDS OF PALM BEACH COUNTY, LYING IN SECTION 16, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY.

WHEREAS, the Board of County Commissioners (BCC) of Palm Beach County, Florida, pursuant to authority in Section 336.09, Florida Statutes, 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 all of a 669-foot long utility easement as depicted on the plat of Golf and Tennis Club of Villages of Oriole, recorded in Plat Book 31, Page 213 of the Public Records of Palm Beach County, lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, as shown in **Exhibit A**; and

WHEREAS, a petition to abandon the Utility Easement was submitted by 13 FH Avalon LP; 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 October 22, 2019, did hold a meeting on said petition to abandon the Utility Easement; and

WHEREAS, the BCC determined that said petition conforms to the Ordinance.

**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. All of a 669-foot long utility easement as depicted on the plat of Golf and Tennis Club of Villages of Oriole, recorded in Plat Book 31, Page 213 of the Public Records of Palm Beach County, lying in Section 16, Township 46 South, Range 42 East, Palm Beach County, 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-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

DESCRIPTION:

EXHIBIT A

AN EASEMENT DEPICTED ON THE PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE, AS RECORDED IN PLAT BOOK 31, PAGE 213, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF SAID PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE, LYING IN SECTION 16, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT S-3 (CUMBERLAND DRIVE), ABBEY VILLAGE OF VILLAGES OF ORIOLE AS RECORDED IN PLAT BOOK 30, PAGES 208 AND 209 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID TRACT S-3, ALSO BEING THE SOUTH BOUNDARY LINE OF SAID PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE, NORTH 89°18'02" EAST, A DISTANCE OF 52.92 FEET TO THE POINT OF BEGINNING;

THENCE, DEPARTING SAID NORTH TRACT LINE AND SOUTH BOUNDARY LINE, NORTH 09°40'13" EAST, A DISTANCE OF 122.68 FEET; THENCE NORTH 00°41'58" WEST, A DISTANCE OF 299.56 FEET; THENCE NORTH 89°18'02" EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°41'58" WEST, A DISTANCE OF 249.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH BOUNDARY LINE OF SAID PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE; THENCE, ALONG SAID NORTH BOUNDARY LINE, NORTH 89°18'02" EAST, A DISTANCE OF 10.00 FEET; THENCE, DEPARTING SAID NORTH BOUNDARY LINE, SOUTH 00°41'58" EAST, A DISTANCE OF 669.24 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID SAID NORTH LINE OF SAID TRACT S-3 AND SOUTH BOUNDARY LINE OF SAID PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE; THENCE, ALONG SAID NORTH TRACT LINE AND SOUTH BOUNDARY LINE, SOUTH 89°18'02" WEST, A DISTANCE OF 16.00 FEET; THENCE, DEPARTING SAID NORTH TRACT LINE AND SOUTH BOUNDARY LINE, NORTH 00°41'58" WEST, A DISTANCE OF 114.31 FEET; THENCE SOUTH 09°40'13" WEST, A DISTANCE OF 116.21 FEET TO A POINT OF INTERSECTION WITH THE AFORESAID SAID NORTH LINE OF SAID TRACT S-3 AND SOUTH BOUNDARY LINE OF SAID PLAT OF GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE; THENCE, ALONG SAID NORTH TRACT LINE AND SOUTH BOUNDARY LINE, SOUTH 89°18'02" WEST, A DISTANCE OF 10.17 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA.
CONTAINING 13,133 SQUARE FEET/0.3015 ACRES ACRES MORE OR LESS.


NOTES:

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
- 2. LANDS SHOWN HEREON WERE ABSTRACTED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FUND FILE NO. 1062-3577378, EFFECTIVE DATE: SEPTEMBER 26, 2017 AT 8:00 A.M. AND UPDATED MARCH 21, 2019.
- 3. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 00°14'48" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90 ADJUSTMENT).
- 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.
- 6. NO EVIDENCE OF ADDITIONAL EXISTING UNDERLYING EASEMENTS WERE FOUND BY THE SURVEYOR.
- 7. EXISTING UTILITIES IN THE EASEMENT ARE BEING RELOCATED.
- 8. THIS SPECIFIC PURPOSE SURVEY WAS BASED ON A BOUNDARY SURVEY PREPARED BY CAULFIELD AND WHEELER DATED 4/26/18 AND LAST REVISED 7/2/19 UNDER PROJECT NUMBER 7583, DRAWING NAME 7583-SURVEY_FOR EASEMENT RELEASE, INTERIOR IMPROVEMENTS ARE DELINEATED ON THAT SURVEY.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JULY 2, 2019. I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 6



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING – LAND SURVEYING

7900 GLADES ROAD – SUITE 100

BOCA RATON, FLORIDA 33434

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

AVALON TRAILS

EASEMENT RELEASE

SPECIFIC PURPOSE SURVEY

David Lindley

Digitally signed by David Lindley

DN: cn=US, st=Florida, o=Boca Raton, ou=Surveying, c=CAULFIELD & WHEELER, INC., email=David.Lindley@caulfieldandwheeler.com, Date: 2019.07.02 15:09:48 -0400

DAVID P. LINDLEY

REGISTERED LAND

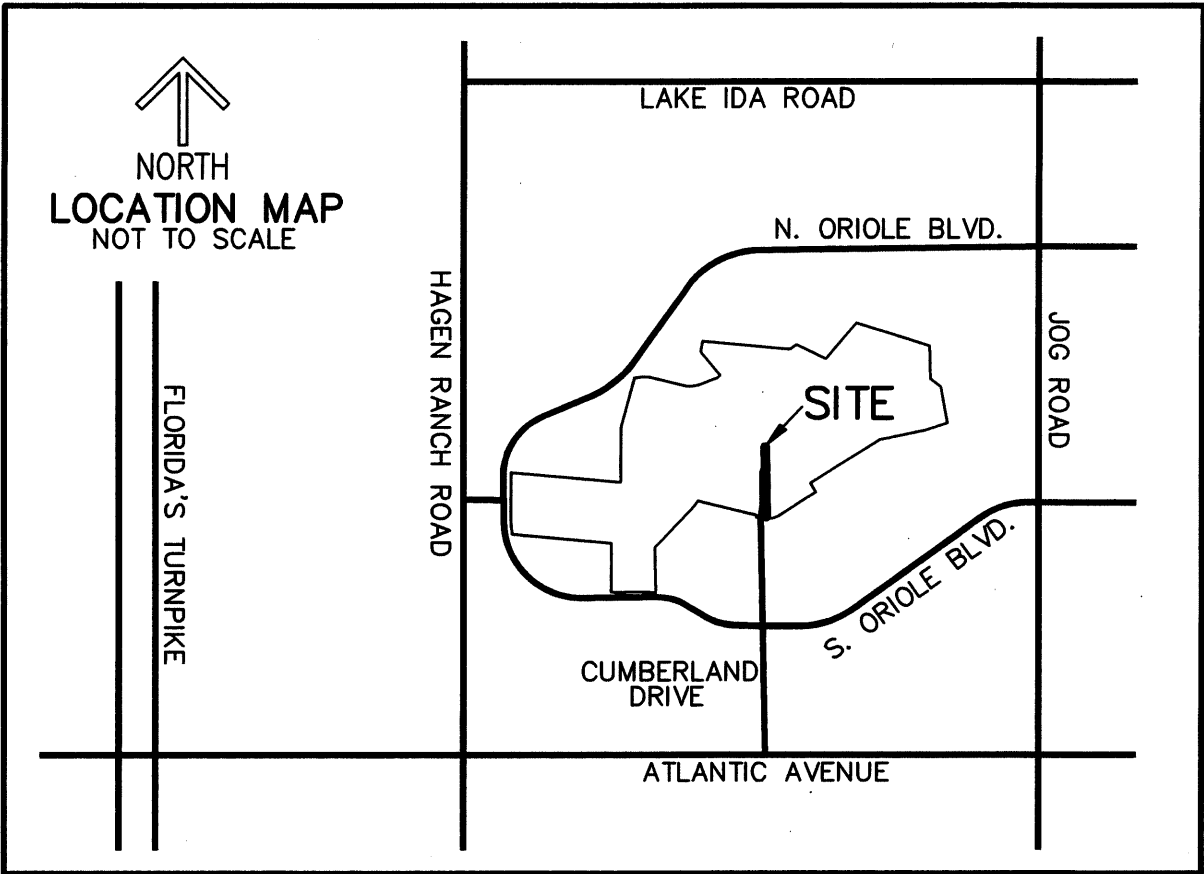
SURVEYOR NO. 5005

STATE OF FLORIDA

L.B. 3591

DATE	7/2/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	7583-SDER

EXHIBIT A



LEGEND/ABBREVIATIONS

- ☉ - CENTERLINE
E - EASTING (WHEN USED WITH COORDINATES)
LB - LICENSED BUSINESS
N - NORTHING (WHEN USED WITH COORDINATES)
(P) - GOLF AND TENNIS CLUB OF VILLAGES OF ORIOLE,
AS RECORDED IN PLAT BOOK 31, PAGE 213 OF
THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT

NOTES

COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (90 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.0000288
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (1990 ADJUSTMENT), FLORIDA EAST ZONE.

SHEET 2 OF 6

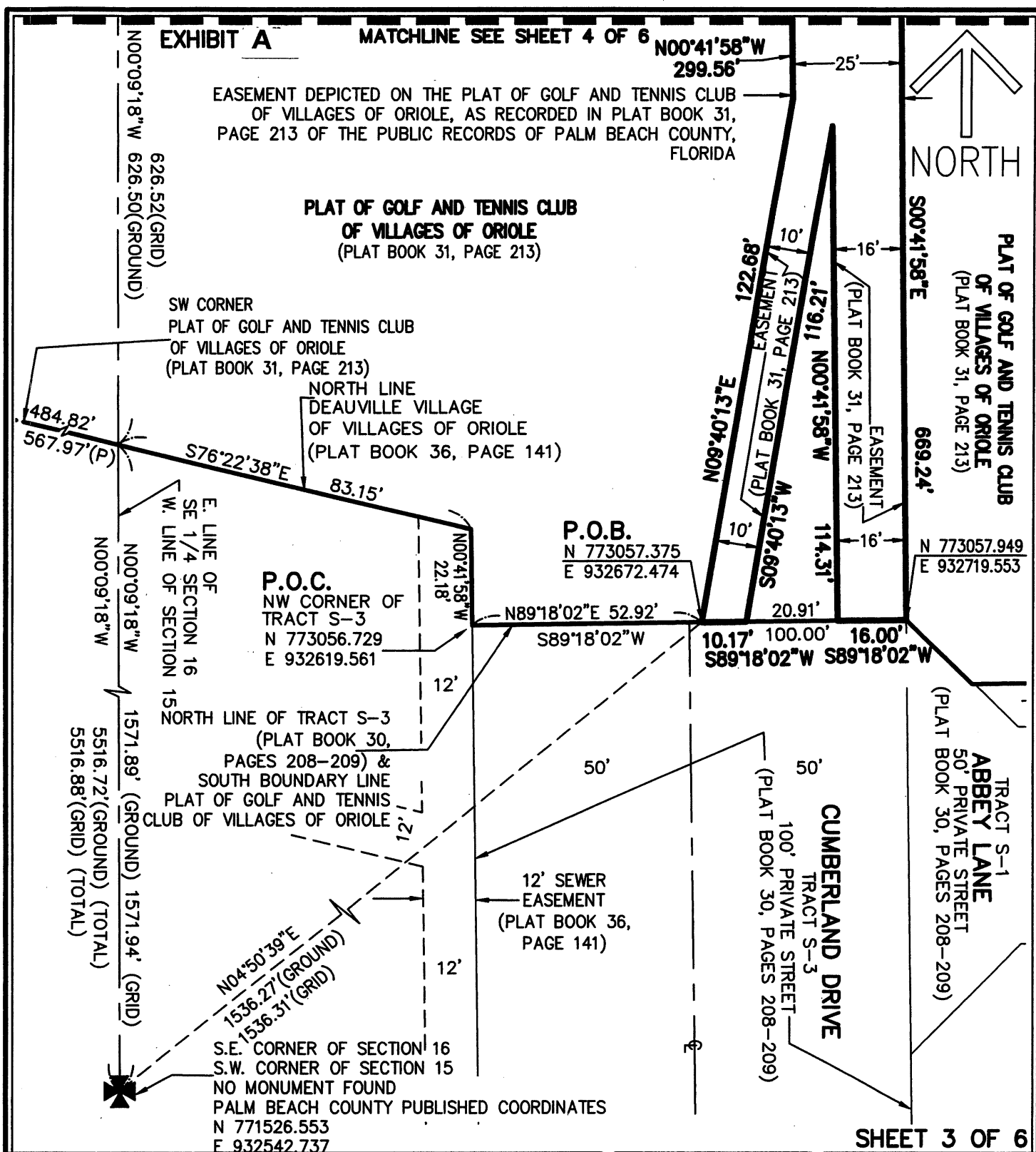


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SHEET 3 OF 6

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GRAPHIC SCALE

30 0



(IN FEET)

1 INCH =30 FEET

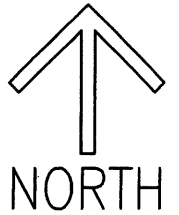
DATE	7/2/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1" = 30'
JOB NO. 7583-SDER	

**AVALON TRAILS
EASEMENT RELEASE
SPECIFIC PURPOSE SURVEY**

EXHIBIT A

MATCHLINE SEE SHEET 5 OF 6

25'



EASEMENT DEPICTED ON THE PLAT OF GOLF AND TENNIS CLUB
OF VILLAGES OF ORIOLE, AS RECORDED IN PLAT BOOK 31,
PAGE 213 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA

N00°41'58"W

S00°41'58"E

N00°09'18"W
N00°09'18"W
E. LINE OF
SE 1/4 SECTION 16
W. LINE OF SECTION 15

626.52(GRID)
626.50(GROUND)
5516.72'(GROUND) (TOTAL)
5516.88'(GRID) (TOTAL)

PLAT OF GOLF AND TENNIS CLUB
OF VILLAGES OF ORIOLE
(PLAT BOOK 31, PAGE 213)

(PLAT BOOK 31, PAGE 213)
EASEMENT

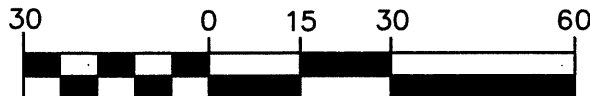
PLAT OF GOLF AND TENNIS CLUB
OF VILLAGES OF ORIOLE
(PLAT BOOK 31, PAGE 213)

299.56'

669.24'

25'

GRAPHIC SCALE



(IN FEET)

1 INCH = 30 FEET

MATCHLINE SEE SHEET 3 OF 6

SHEET 4 OF 6

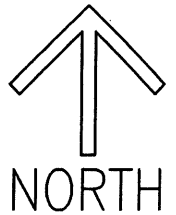


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DATE	7/2/19
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F.B./ PG.	N/A
SCALE	1" = 30'
JOB NO.	7583-SDER



NORTH

N00°41'58"W

10'

S00°41'58"E

10'

(PLAT BOOK 31, PAGE 213)

EASEMENT

249.00'

669.24'

10'

N89°18'02"E
15.00'N00°41'58"W
299.56'

25'

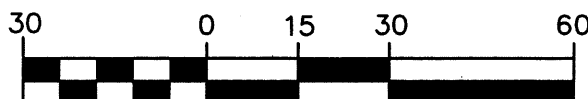
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PLAT OF GOLF AND TENNIS CLUB
OF VILLAGES OF ORIOLE
(PLAT BOOK 31, PAGE 213)

PLAT OF GOLF AND TENNIS CLUB
OF VILLAGES OF ORIOLE
(PLAT BOOK 31, PAGE 213)

N00°09'18"W
626.52(GRID)
626.50(GROUND)
5516.72'(GROUND) (TOTAL)
5516.88'(GRID) (TOTAL)
E. LINE OF
SE 1/4 SECTION 16
W. LINE OF SECTION 15

GRAPHIC SCALE



(IN FEET)
1 INCH = 30 FEET

MATCHLINE SEE SHEET 4 OF 6

SHEET 5 OF 6



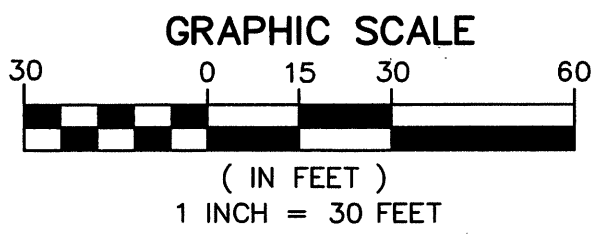
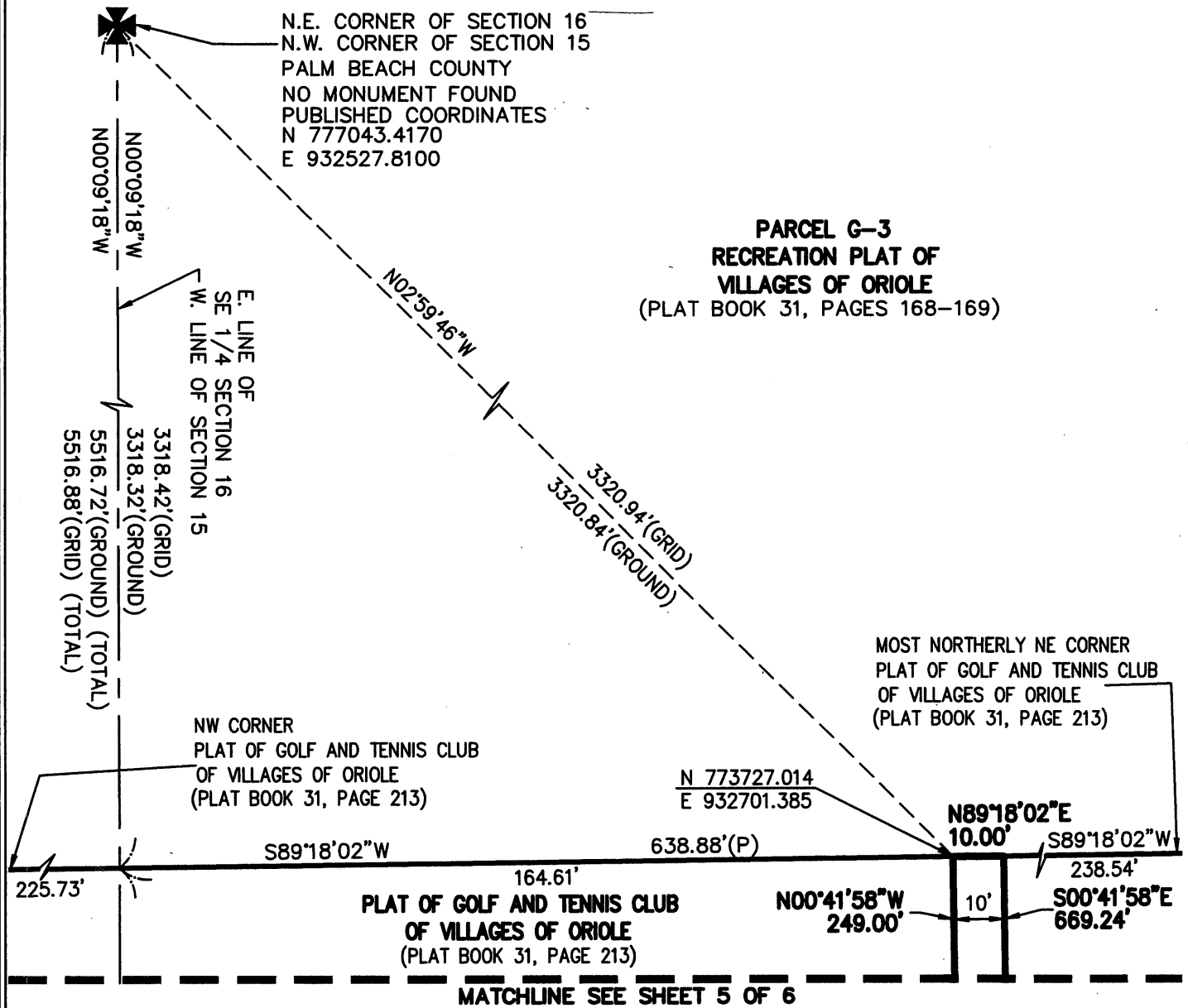
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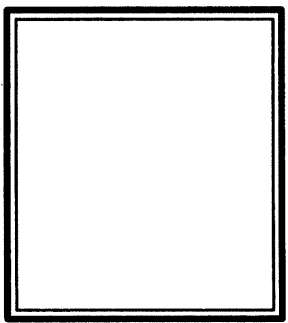


SHEET 6 OF 6



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