



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

**Budget Account No:**

Fund                      Dept                      Unit                      Object

**Recommended Sources of Funds/Summary of Fiscal Impact:**

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

**C. Departmental Fiscal Review:**

*Alicia Kovalainen*

**III. REVIEW COMMENTS**

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

*Robert Kawa* 10/18/19  
 OFMB 10/19/19  
 8/10/19

*Shirley Ann Lee* for *Lewin Jacobowitz*  
 Contract Dev. and Control  
 10/24/19 TW

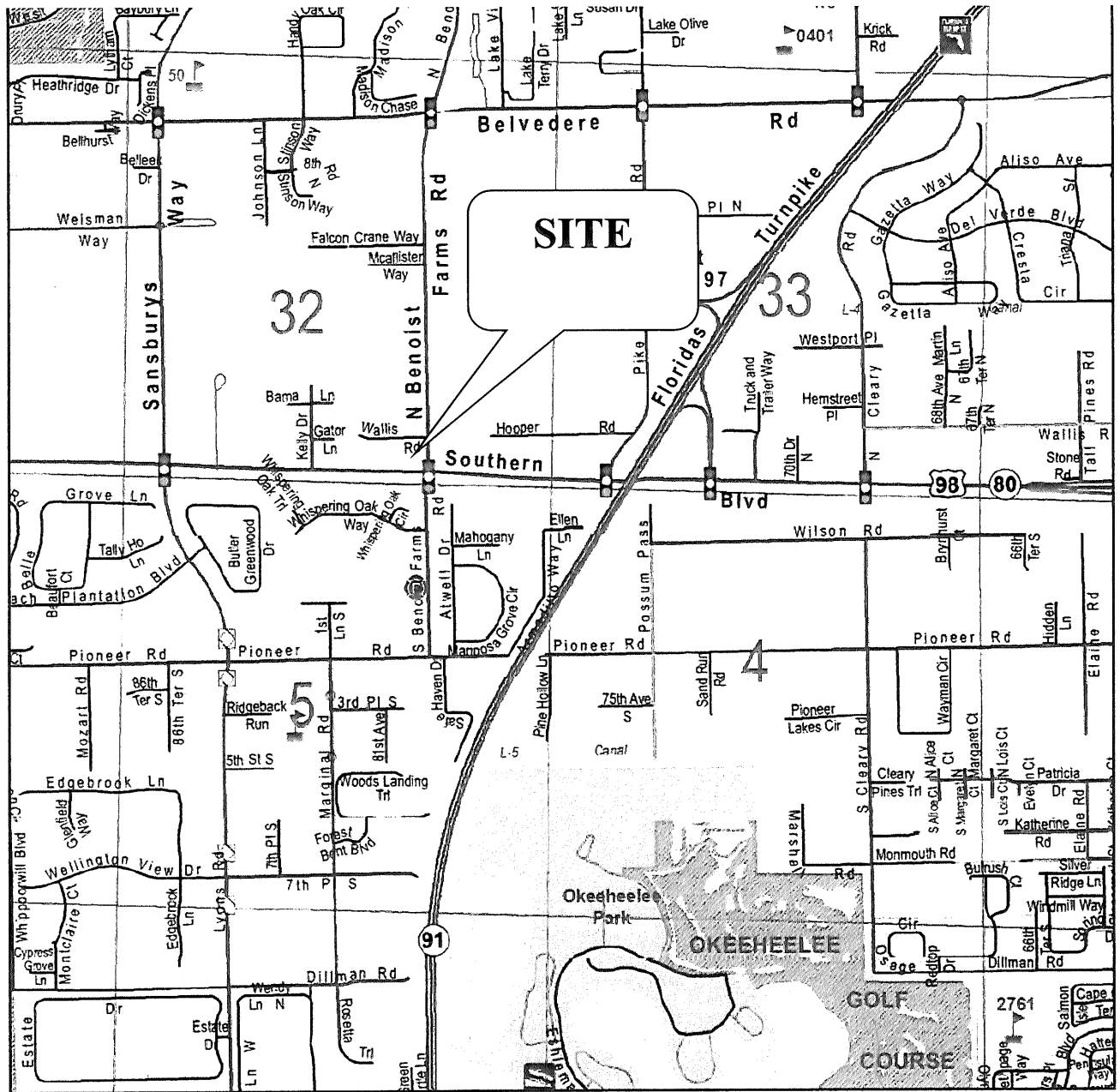
**B. Approved as to Form and Legal Sufficiency:**

*M. Herman* 10/25/19  
 Assistant County Attorney

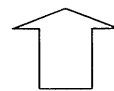
**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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



# LOCATION SKETCH



N (Not to scale)

A PORTION OF THE 12-FOOT WIDE UTILITY EASEMENT AS SHOWN ON THE PLAT OF WAWA SB 1327 MUPD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, PAGES 6 AND 7, 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 A PORTION OF THE 12-FOOT WIDE UTILITY EASEMENT AS SHOWN ON THE PLAT OF WAWA SB 1327 MUPD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, PAGES 6 AND 7, LYING IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 42 EAST, 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, 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 a portion of the 12-foot wide utility easement as shown on the plat of Wawa SB 1327 MUPD, according to the plat thereof, as recorded in Plat Book 127, Pages 6 and 7, lying in Section 32, Township 43 South, Range 42 East, of the Public Records of Palm Beach County, as shown in **Exhibit A** (Utility Easement); and

**WHEREAS**, a petition to abandon the Utility Easement was submitted by BW Southern and Benoist, LLC and BW Southern Benoist II, 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 November 19, 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. A portion of the 12-foot wide utility easement as shown on the plat of Wawa SB 1327 MUPD, according to the plat thereof, as recorded in Plat Book 127, Pages 6 and 7, lying in Section 32, Township 43 South, Range 42 East, of the Public Records of Palm Beach County, 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 Hal R. Valeche, District 1
- Commissioner Gregg K. Weiss, District 2
- Commissioner Dave M. Kerner, District 3
- Commissioner Robert S. Weinroth, District 4
- Commissioner Mary Lou Berger, District 5
- Commissioner Melissa McKinlay, District 6
- Commissioner Mack Bernard, District 7


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

**DESCRIPTION:**

A PORTION OF THE 12 FOOT UTILITY EASEMENT AS SHOWN ON THE PLAT OF WAWA SB 1327 MUPD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 127, PAGES 6 AND 7, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF PARCEL A OF SAID PLAT OF WAWA SB 1327 MUPD; THENCE, ALONG THE WEST LINE OF SAID PARCEL A, NORTH 00°58'10" WEST, A DISTANCE OF 37.78 FEET TO THE SOUTHWEST CORNER OF SAID 12 FOOT UTILITY EASEMENT AND THE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID WEST LINE OF PARCEL A, NORTH 00°58'10" WEST, A DISTANCE OF 12.00 FEET TO THE NORTHWEST CORNER OF SAID 12 FOOT UTILITY EASEMENT; THENCE, DEPARTING SAID WEST LINE, ALONG THE NORTH LINE OF SAID EASEMENT, NORTH 89°01'50" EAST, A DISTANCE OF 175.04 FEET; THENCE, CONTINUING ALONG SAID NORTH LINE, SOUTH 00°57'17" EAST, A DISTANCE OF 25.74 FEET; THENCE, DEPARTING SAID NORTH LINE OF SAID 12 FOOT UTILITY EASEMENT, ALONG THE WESTERLY PROJECTION OF SAID NORTH LINE, NORTH 88°21'11" WEST, A DISTANCE OF 12.01 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID 12 FOOT UTILITY EASEMENT; THENCE, ALONG SAID SOUTH LINE, NORTH 00°57'17" WEST, A DISTANCE OF 13.19 FEET; THENCE, CONTINUING ALONG SAID SOUTH LINE, SOUTH 89°01'50" WEST, A DISTANCE OF 163.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,262 SQUARE FEET OR 0.0519 ACRES MORE OR LESS.

SAID LANDS SITUATE IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.


**NOTES:**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE ABSTRACTED BY, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO: 371321, REVISION 4 DATED SEPTEMBER 26, 2018 @ 11:00 PM., THERE ARE NO PLOTTABLE EXCPTIONS TO DELINEATE.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 00°58'10" WEST ALONG THE WEST LINE PARCEL A, WAWA SB 1327 MUPD, AS RECORDED IN PLAT BOOK 127, PAGES 6 AND 7 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
5. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. THE PURPOSE OF THIS SPECIFIC PURPOSE SURVEY IS TO DELINEATE THE LIMITS OF A UTILITY EASEMENT TO BE ABANDONED, THERE ARE NO IMPROVEMENTS IN THE EASEMENT AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

**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 SURVEYED UNDER MY DIRECTION ON NOVEMBER 13, 2018. 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.

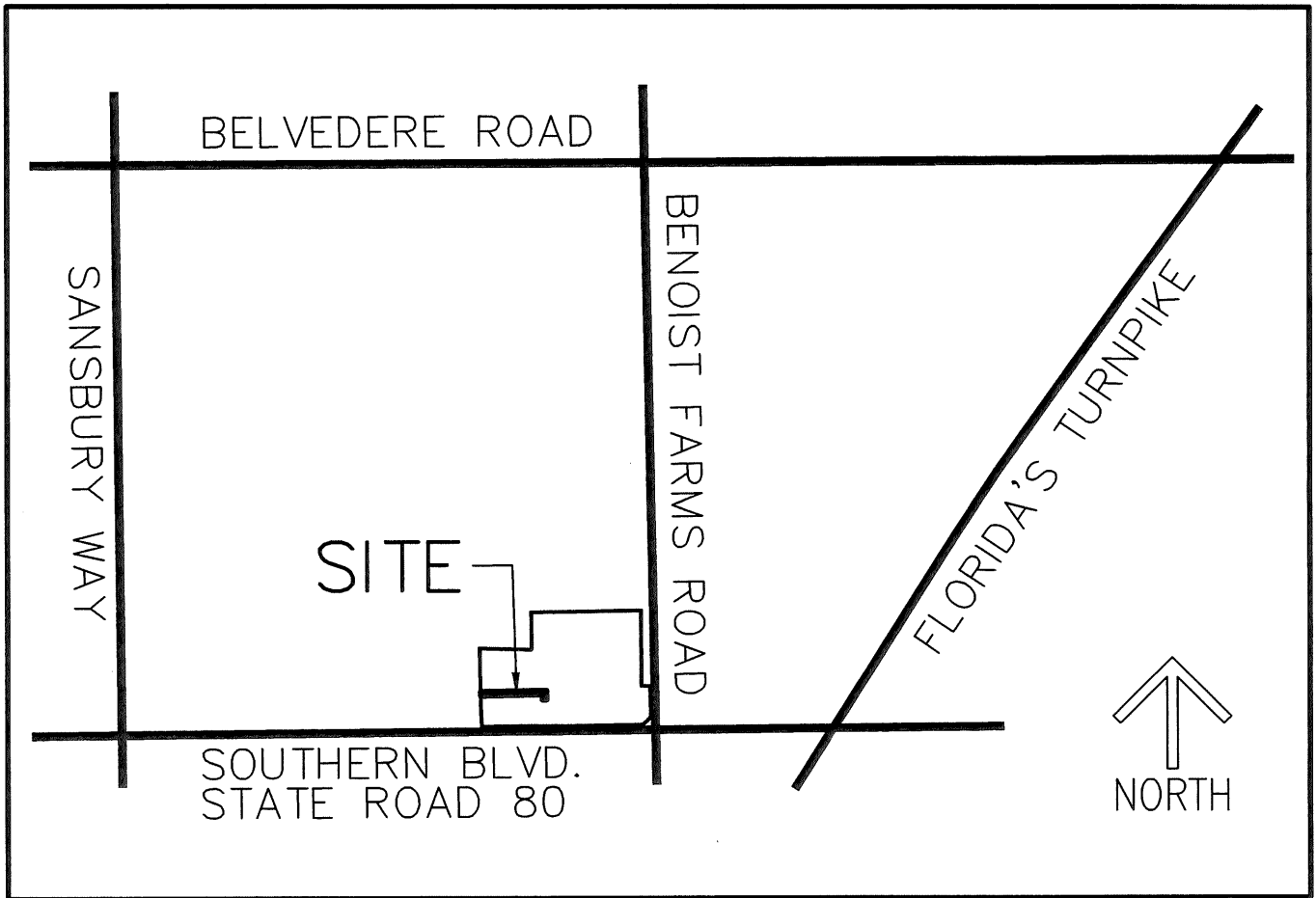
**SHEET 1 OF 4**

	<b>CAULFIELD &amp; WHEELER, INC.</b> CIVIL ENGINEERING – LAND SURVEYING 7900 GLADES ROAD – SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452
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Digitally signed by David Lindley <small>DN: cn=US, st=Florida, l=Boca Raton, ou=Surveying, o=Caulfield &amp; Wheeler, Inc., cn=David Lindley, email=Dave@cwassoc.com, Date: 2019.07.02 15:40:56 -0400</small>
<b>David Lindley</b> 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	NONE
JOB NO.	7631-12UEAB

<b>WAWA SB 1327 MUPD                  PORTION OF 12' UTILITY EASEMENT ABANDONMENT                  SPECIFIC PURPOSE SURVEY</b>
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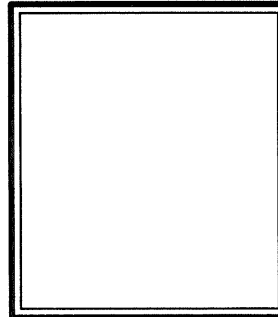


LOCATION MAP  
NOT TO SCALE

SHEET 2 OF 4

 CAULFIELD & WHEELER, INC.  
CIVIL ENGINEERING - LAND SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

**WAWA SB 1327 MUPD**  
**PORTION OF 12' UTILITY EASEMENT ABANDONMENT**  
**SPECIFIC PURPOSE SURVEY**



DATE	7/2/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7631-12UEAB




**NOTES**  
**COORDINATES, BEARINGS AND DISTANCES**

COORDINATES SHOWN ARE GRID  
 DATUM = NAD 83 (90/98 ADJUSTMENT)  
 ZONE = FLORIDA EAST  
 LINEAR UNIT = US SURVEY FEET  
 COORDINATE SYSTEM 1983 STATE PLANE  
 TRANSVERSE MERCATOR PROJECTION  
 ALL DISTANCES ARE GROUND  
 SCALE FACTOR = 1.0000245  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE  
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,  
 NAD 83 (1990 ADJUSTMENT), FLORIDA EAST ZONE.

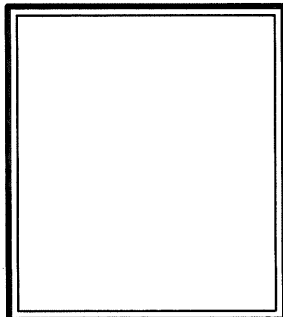
**LEGEND / ABBREVIATIONS**

E - EASTING (WHEN USED WITH COORDINATES)  
 FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION  
 LAE - LIMITED ACCESS EASEMENT  
 LB - LICENSED BUSINESS  
 N - NORTHING (WHEN USED WITH COORDINATES)  
 O.R.B. - OFFICIAL RECORD BOOK  
 PBCR - PALM BEACH COUNTY RECORDS  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 R/W - RIGHT-OF-WAY  
 UE - UTILITY EASEMENT

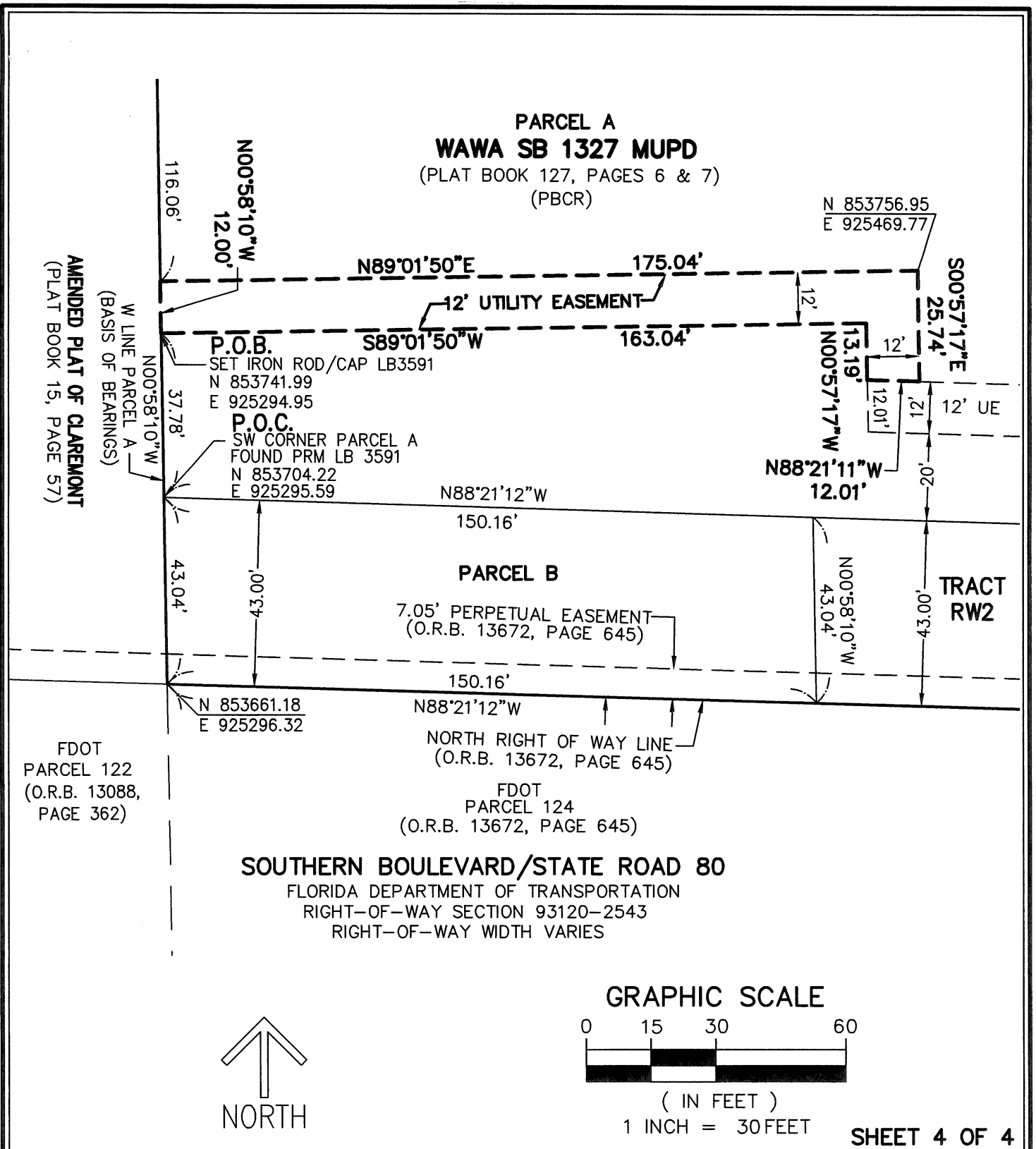
**SHEET 3 OF 4**


	CAULFIELD & WHEELER, INC. CIVIL ENGINEERING - LAND SURVEYING 7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452
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**WAWA SB 1327 MUPD**  
**PORTION OF 12' UTILITY EASEMENT ABANDONMENT**  
**SPECIFIC PURPOSE SURVEY**

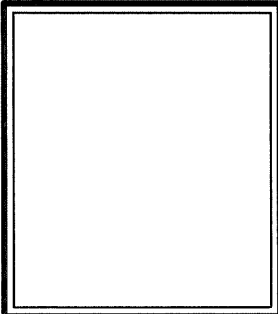


DATE	7/2/19
DRAWN BY	DLS
F.B. / PG.	N/A
SCALE	NONE
JOB NO.	7631-12UEAB



**CAULFIELD & WHEELER, INC.**  
  
 CIVIL ENGINEERING - LAND SURVEYING  
 7900 GLADES ROAD - SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452

**WAWA SB 1327 MUPD**  
**PORTION OF 12' UTILITY EASEMENT ABANDONMENT**  
**SPECIFIC PURPOSE SURVEY**



DATE	7/2/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=30'
JOB NO.	7631-2UE