

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 5, 2020

Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 22595, Page 15.

Summary: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in a utility easement recorded in the Official Records of Palm Beach County as noted above. The Property Owner is requesting release of the portion of the easement that is no longer associated with any public potable water, reclaimed water and wastewater facilities. As a result of site development for Southern Mills Business Park, the existing utility easement is no longer required. PBCWUD has determined that the release of the easement will not affect existing or new public potable water, reclaimed water and wastewater facilities and therefore recommends approval of the release. District 6 (MJ)

Background and Justification: The utility easement listed above was granted/reserved to the County for public potable water, reclaimed water and wastewater facilities associated with property identified by PCN 72-41-43-36-00-000-3020 on April 23, 2008.

Attachments:

1. Location Map
2. Two (2) Original Partial Release of Utility Easement for ORB 22595, Page 15

Recommended By: Jim Stele 3-27-2020
 Department Director Date

Approved By: Phil J. Blum 4/17/2020
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
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>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund Dept Unit Object

Is Item Included in Current Budget? Yes ___ No ___

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

Reporting Category N/A

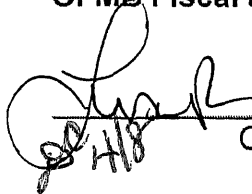
B. Recommended Sources of Funds/Summary of Fiscal Impact:

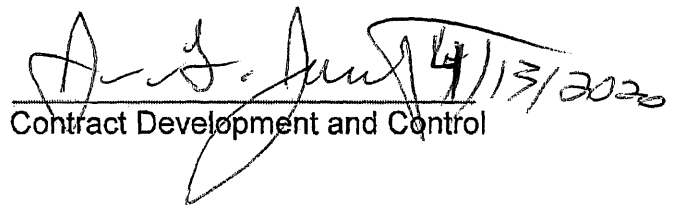
No Fiscal Impact

C. Department Fiscal Review: _____

III. REVIEW COMMENTS

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

 4/9/2020
OFMB 80 4/9

 4/13/2020
Contract Development and Control

B. Legal Sufficiency:

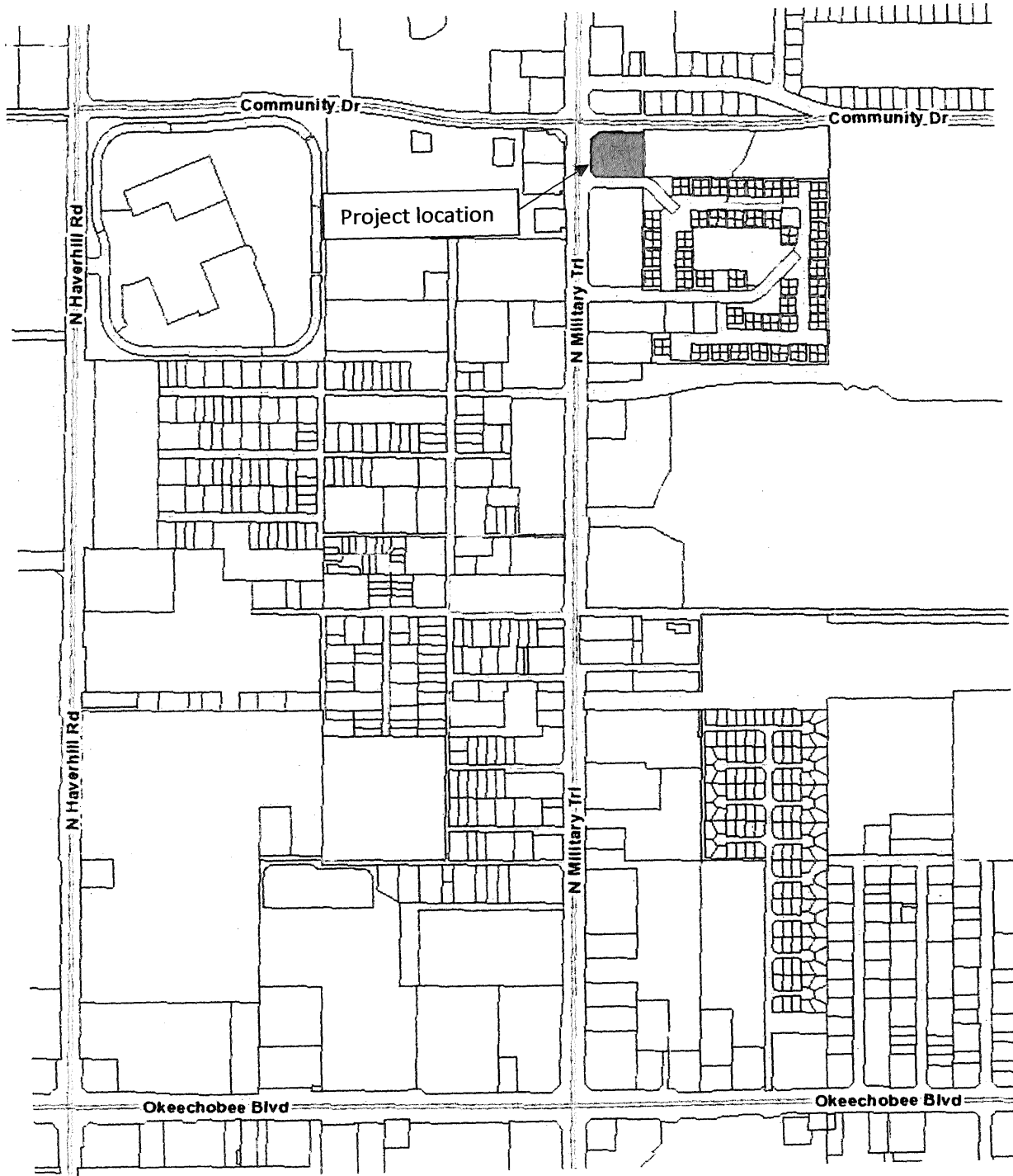
/s/ Michael W. Jones 4/3/2020
Assistant County Attorney

C. Other Department Review:

Department Director

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

Attachment 1



Prepared by and return to:
Palm Beach County Water Utilities Department
Attn: Plan Review
8100 Forest Hill Blvd
West Palm Beach, Florida 33413

PARTIAL RELEASE OF UTILITY EASEMENT

THIS PARTIAL RELEASE OF UTILITY EASEMENT, executed this ____ day of _____, 2020, by Palm Beach County, a political subdivision of the State of Florida, first party, c/o Palm Beach County Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to Southern Mills Business Park Property Owners' Association, Inc., whose address is 101 West Elm Street Suite 600 Conshohocken, Pennsylvania 19428 second party:

WITNESSETH:

THAT the first party, for and in consideration of the sum of \$10.00 (Ten Dollars) in hand paid by the second party, the receipt of which is hereby acknowledged, wishes to terminate, renounce, and release a portion of that UTILITY EASEMENT recorded in Official Records Book 22595, Page 15, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that portion of the UTILITY EASEMENT as shown in the sketch and legal description attached hereto and incorporated herein as Exhibit "A."

IN WITNESS WHEREOF the first party has caused this PARTIAL RELEASE OF UTILITY EASEMENT to be executed as of the day and year first written above.

ATTEST:

Sharon R. Bock, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____ *DK*
Dave Kerner, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: */s/ Michael W. Jones*
County Attorney

EXHIBIT A

LEGAL DESCRIPTION AND SKETCH FOR:
 UTILITY EASEMENT ABANDONMENT
 BEING FOUR PORTIONS OF THE UTILITY EASEMENT RECORDED IN
 OFFICIAL RECORD BOOK 22595, PAGE 15, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
 LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA


LEGAL DESCRIPTION:

Four portions of the Utility Easement, as recorded in Official Record Book 22595, Page 15 of the Public Records of Palm Beach County, Florida, lying within the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 AND the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 AND the Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 AND the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 36, Township 43 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

For the purpose of the descriptions the East line of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 36, is assumed to bear South 01°29'42" West, and all bearings are relative thereto.

PORTION OF EASEMENT #1:

Commencing at the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 36; thence South 01°29'42" West, along the East line of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 36 (said line also being the West line of the Plat of "BELLA TERRA P.U.D. PLAT NO. 1", as recorded in Plat Book 94, at Page 13 of the Public Records of Palm Beach County, Florida), a distance of 961.87 feet; thence departing from said line North 88°30'18" West, a distance of 47.49 feet to the POINT OF BEGINNING PORTION #1; thence South 01°29'42" West, a distance of 259.88 feet; thence South 88°30'52" East, a distance of 15.02 feet; thence South 01°29'08" West, a distance of 20.00 feet; thence North 88°30'52" West, a distance of 15.02 feet; thence South 01°29'42" West, a distance of 475.00 feet; South 88°30'18" East, a distance of 15.01 feet; thence South 01°29'42" West, a distance of 20.00 feet; thence North 88°30'18" West, a distance of 15.01 feet; thence South 01°29'42" West, a distance of 123.79 feet; thence North 66°43'50" West, a distance of 21.54 feet to REFERENCE POINT "A"; thence North 01°29'42" East, a distance of 387.76 feet; thence North 88°30'18" West, a distance of 17.70 feet; thence North 01°29'42" East, a distance of 10.00 feet; thence South 88°30'18" East, a distance of 17.70 feet; thence North 01°29'42" East, a distance of 492.92 feet; thence South 88°30'18" East, a distance of 20.00 feet to the POINT OF BEGINNING PORTION #1.

1	REVISED PER PBCWJD COMMENTS	JRZ	2/13/2020
REV.	REVISION DESCRIPTION	BY	DATE
		JAMES R. ZEIS, P.S.M. 19910 Hibiscus Drive Tequesta, Florida 33489 Phone: 561-632-7035 LB 7851 zeisconsultants@comcast.net	
SCALE: N/A	DRAWN BY: J.R.Z.	FIELD BOOK: N/A	DATA FILE: N/A
DATE: 01/26/2020			JOB NUMBER 0785
DESCRIPTION AND SKETCH FOR THE ABANDONMENT OF 4 PORTIONS OF THE UTILITY EASEMENT RECORDED IN O.R.B 22595, PAGE 15			
CLIENT:		GREENBERG TRAUIG, P.A.	

THIS IS NOT A SURVEY
 SHEET 1 OF 7

LEGAL DESCRIPTION AND SKETCH FOR:
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LEGAL DESCRIPTION: (CONTINUED)

PORTION OF EASEMENT #2:

Commencing at previously described REFERENCE POINT "A"; thence South 83°24'40" West, a distance of 232.49 feet to the POINT OF BEGINNING PORTION #2; thence North 88°30'18" West, a distance of 20.00 feet to REFERENCE POINT "B"; thence North 01°29'42" East, a distance of 415.95 feet; thence North 88°28'17" West, a distance of 6.74 feet; thence North 01°29'42" East, a distance of 38.54 feet; thence South 88°30'18" East, a distance of 9.62 feet; thence South 01°29'42" West, a distance of 18.55 feet; thence South 88°28'17" East, a distance of 17.13 feet; thence South 01°29'42" West, a distance of 435.94 feet to the POINT OF BEGINNING PORTION #2.


PORTION OF EASEMENT #3:

Commencing at previously described REFERENCE POINT "B"; thence North 88°30'18" West, a distance of 27.89 feet to the POINT OF BEGINNING PORTION #3; thence South 87°10'53" West, a distance of 20.06 feet to REFERENCE POINT "C"; thence North 01°29'42" East, a distance of 326.38 feet; thence South 88°30'56" East, a distance of 20.00 feet; thence South 01°29'42" West, a distance of 324.88 feet to the POINT OF BEGINNING PORTION #3.

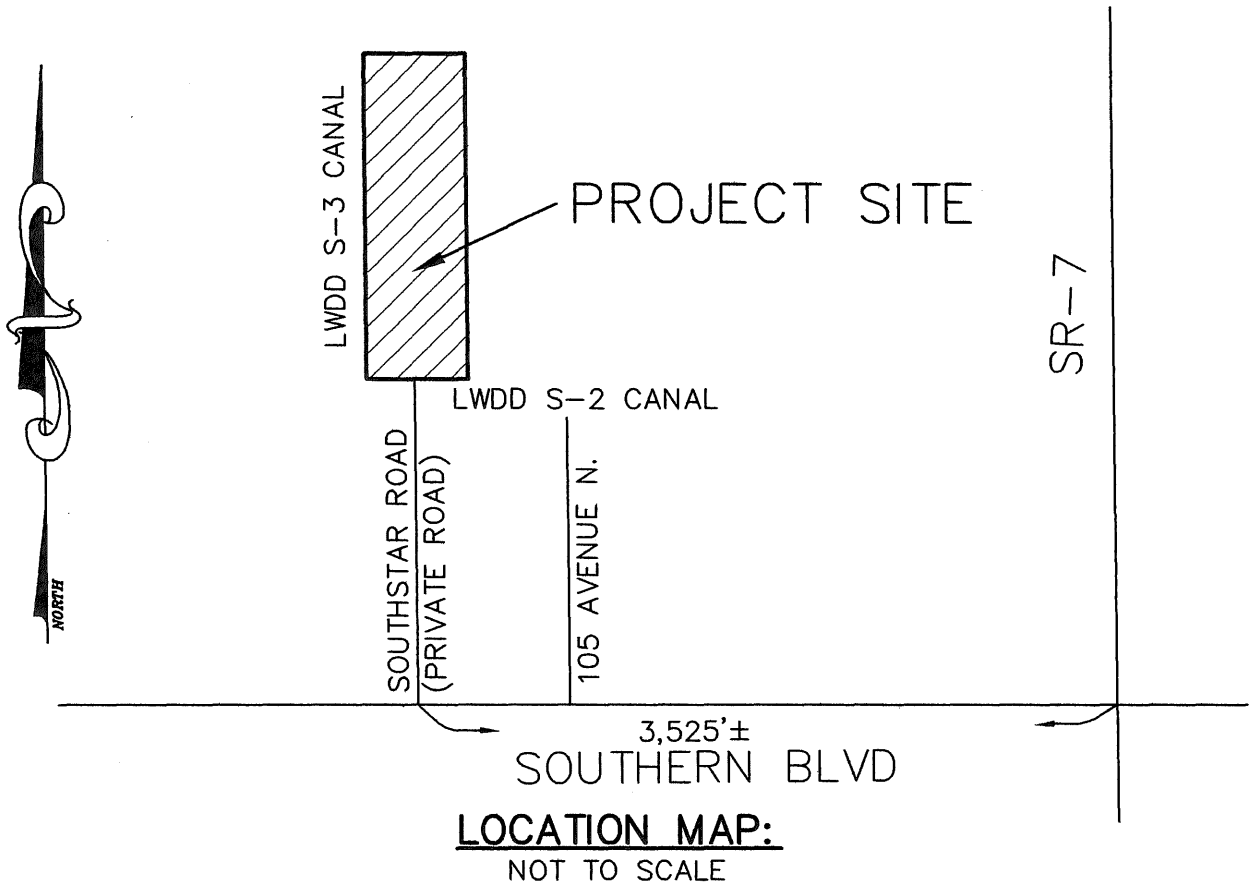
PORTION OF EASEMENT #4:

Commencing at previously described REFERENCE POINT "C"; thence North 69°50'54" West, a distance of 171.60 feet to the POINT OF BEGINNING PORTION #4; thence South 68°59'42" West, a distance of 21.65 feet; thence North 01°29'42" East, a distance of 331.46 feet; thence South 88°30'18" East, a distance of 20.00 feet; thence South 01°29'42" West, a distance of 323.17 feet to the POINT OF BEGINNING PORTION #4.

THIS IS NOT A SURVEY
 SHEET 2 OF 7

1	REVISED PER PBCWUD COMMENTS	JRZ	2/13/2020
REV.	REVISION DESCRIPTION	BY	DATE
		JAMES R. ZEIS, P.S.M. 19910 Hibiscus Drive Tequesta, Florida 33469 Phone: 561-632-7035 LB 7851 zeisconsultants@comcast.net	
SCALE: N/A	DRAWN BY:	FIELD BOOK:	DATA FILE:
DATE: 01/28/2020	J.R.Z.	N/A	N/A
DESCRIPTION AND SKETCH FOR THE ABANDONMENT OF 4 PORTIONS OF THE UTILITY EASEMENT RECORDED IN O.R.B 22595, PAGE 15			
CLIENT:		GREENBERG TRAUIG, P.A.	

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 LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA



LOCATION MAP:
 NOT TO SCALE

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this Legal Description and Sketch is a true and correct representation of the described property. I further certify that this Legal Description and Sketch meets all applicable requirements of the Standards of Practice as contained in Chapter 5J-17 Florida Administrative Code.

Date: 02/13/2020

James R. Zeis, P.S.M.
 Professional Surveyor & Mapper LS 5030
 State of Florida

THIS IS NOT A SURVEY
 SHEET 3 OF 7

1		REVISED PER PBCWUD COMMENTS		JRZ	2/13/2020
REV.	REVISION DESCRIPTION	BY	DATE		
ZEIS consultants		JAMES R. ZEIS, P.S.M.			
		19910 Hibiscus Drive Tequesta, Florida 33469			
		Phone: 561-632-7035 LB 7851 zeisconsultants@comcast.net			
SCALE: N/A	DRAWN BY:	FIELD BOOK:	DATA FILE:	JOB NUMBER	
DATE: 01/28/2020	J.R.Z.	N/A	N/A	0785	
DESCRIPTION AND SKETCH FOR THE ABANDONMENT OF 4 PORTIONS OF THE UTILITY EASEMENT RECORDED IN O.R.B 22595, PAGE 15					
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BELLA TERRA P.U.D. PLAT NO. 1
 PLAT BOOK 94, PAGE 13-28

TRACT "F" TRACT "B"

POINT OF COMMENCEMENT

NORTHEAST CORNER OF THE
 N 1/2 OF THE SW 1/4 OF
 THE NE 1/4 OF THE NW 1/4
 OF SECTION 36-43-41

EAST LINE OF THE SW 1/4, NE 1/4,
 NW 1/4 SECTION 36-43-41

WEST 50' - L.W.D.D. CANAL S-3

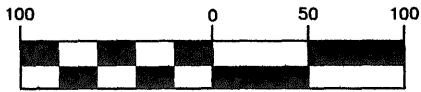


S01°29'42"W 961.87'

WEST LINE OF PLAT
 TRACT "F"
 TRACT "B"
BELLA TERRA P.U.D. PLAT NO. 1
 PLAT BOOK 94, PAGE 13-28

MATCH LINE A

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

**THIS IS NOT A SURVEY
 SHEET 4 OF 7**

1		REVISED PER PBCWUD COMMENTS	JRZ	2/13/2020
REV.	REVISION DESCRIPTION	BY	DATE	
		JAMES R. ZEIS, P.S.M. 19910 Hibiscus Drive Tequesta, Florida 33469 Phone: 561-632-7035 LB 7851 zeisconsultants@comcast.net		
SCALE: 1" TO 100'	DRAWN BY: J.R.Z.	FIELD BOOK: N/A	DATA FILE: N/A	JOB NUMBER: 0785
DATE: 01/28/2020				
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MATCH LINE A

WEST 50' - L.W.D.D. CANAL S-3

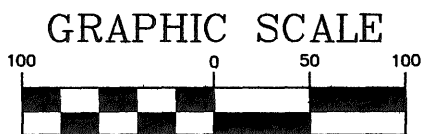


N88°30'18"W
47.49'
 S88°30'18"E
20.00'

POINT OF BEGINNING
PORTION #1

N01°29'42"E 492.92'
 S01°29'42"W 259.88'

MATCH LINE B

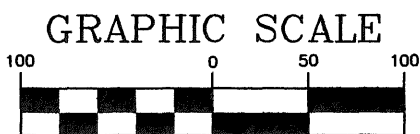
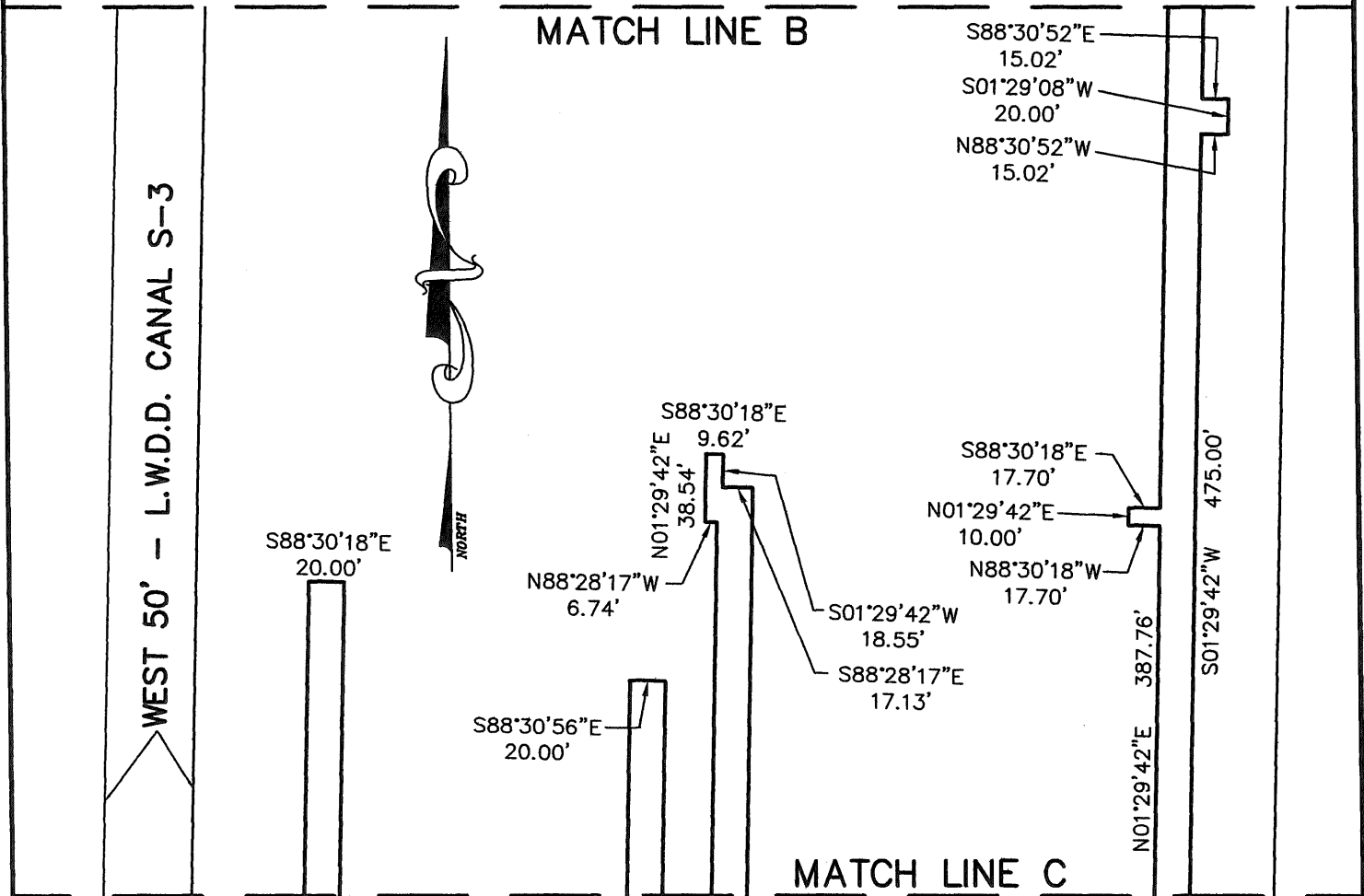


(IN FEET)
 1 inch = 100 ft.

THIS IS NOT A SURVEY
 SHEET 5 OF 7

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SCALE: 1" TO 100'	DRAWN BY: J.R.Z.	FIELD BOOK: N/A	DATA FILE: N/A	JOB NUMBER: 0785
DATE: 01/28/2020	DESCRIPTION AND SKETCH FOR THE ABANDONMENT OF 4 PORTIONS OF THE UTILITY EASEMENT RECORDED IN O.R.B 22595, PAGE 15			
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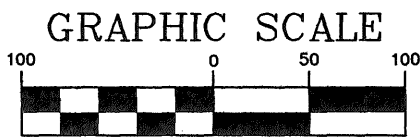
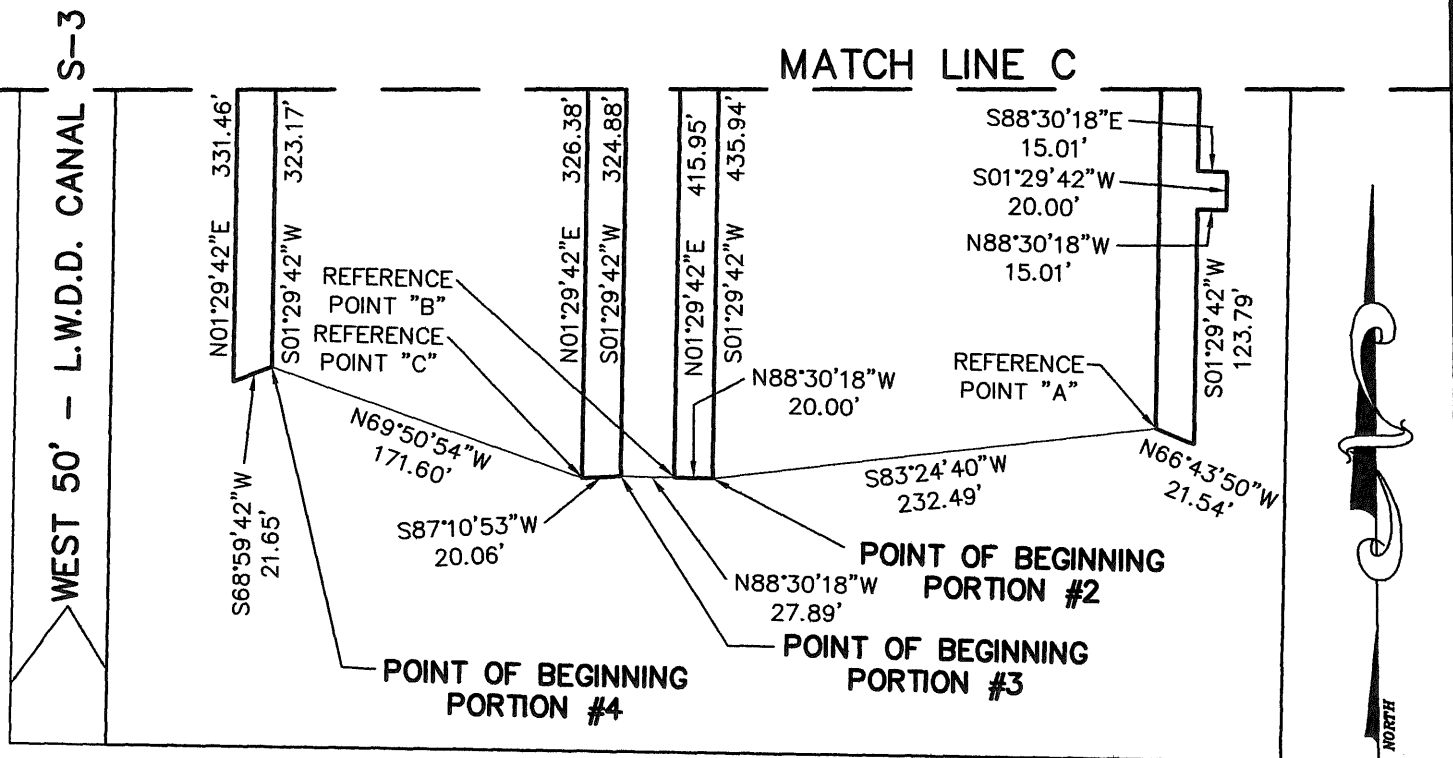


(IN FEET)
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SCALE: 1" TO 100'	DRAWN BY: J.R.Z.	FIELD BOOK: N/A	DATA FILE: N/A
DATE: 01/28/2020			JOB NUMBER: 0785
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