

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 2, 2020

Consent ☒ 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 5773 Page 966.

**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. PBCWUD has determined that this portion of the 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 7 (MJ)

**Background and Justification:** This utility easement was granted to the County's predecessor-in-interest, Meadowbrook Utility Systems, Inc., by instrument dated May 13, 1987, and recorded August 15, 1988 in Official Records Book 5773, Page 966 of the Official Records for Palm Beach County.

**Attachments:**

1. Location Map
2. Two (2) Original Partial Release of Utility Easement for ORB 5773, Page 966

Recommended By:

  
Department Director

4-21-2020  
Date

Approved By:

  
Assistant County Administrator

4/29/2020  
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	0	<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

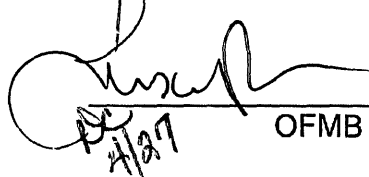
### B. Recommended Sources of Funds/Summary of Fiscal Impact:

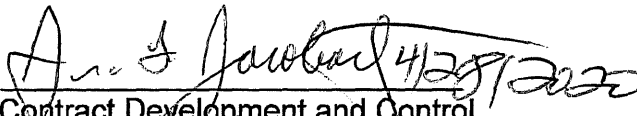
No Fiscal Impact.

C. Department Fiscal Review: 

## III. REVIEW COMMENTS

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

 4/27/2020  
OFMB

 4/28/2020  
Contract Development and Control  
4/28/2020 TW

### B. Legal Sufficiency:

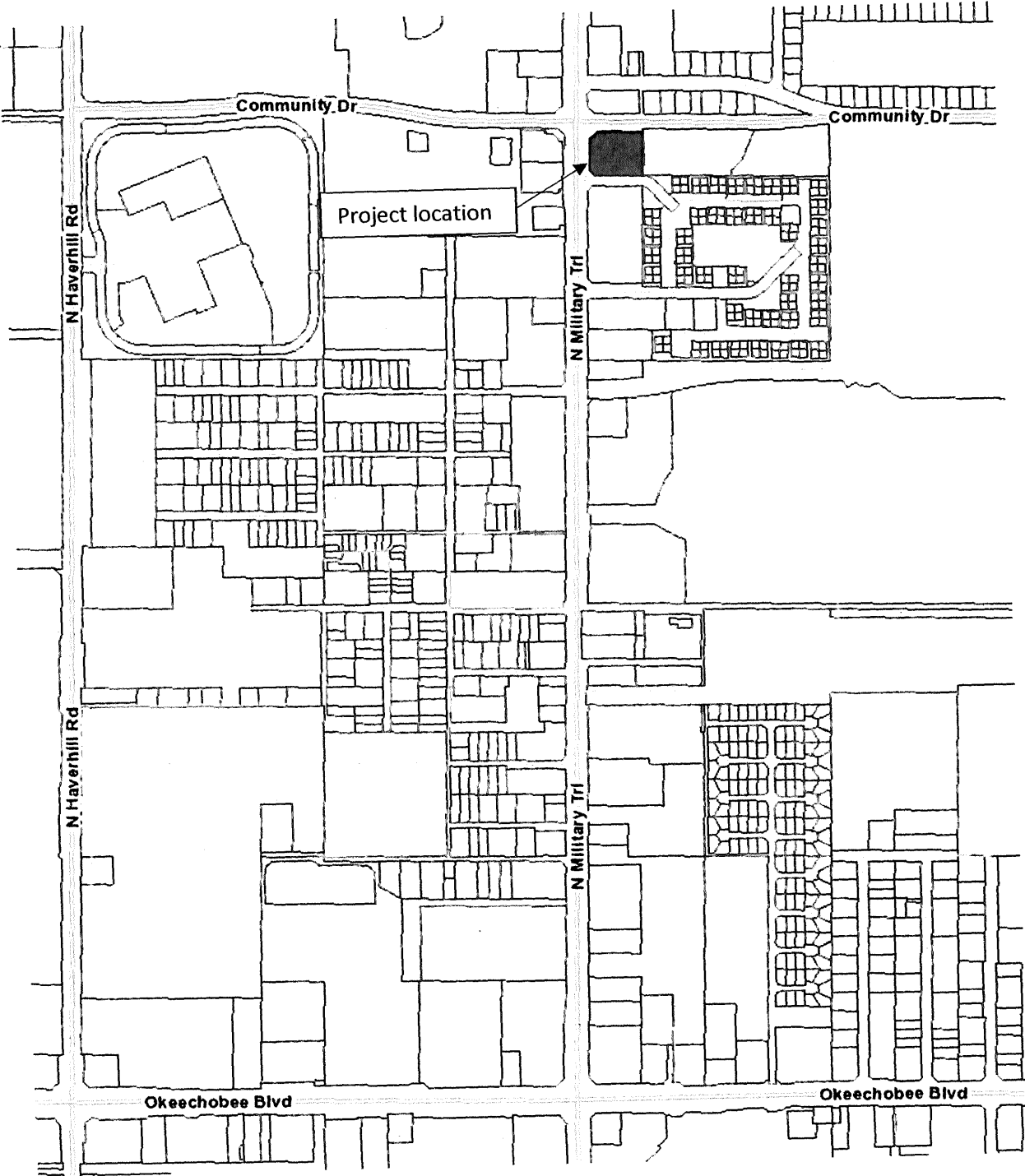
1st Michael W. Jones  
Assistant County Attorney

### 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 RaceTrac Petroleum, Inc. whose address is 200 Galleria Parkway SE Suite 900 Atlanta, Georgia 30339 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 5773, Page 966, 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: \_\_\_\_\_ *am*  
Dave Kerner, Mayor  
*JCS*

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: *1st Michael W. Jones*  
County Attorney

**SKETCH and LEGAL DESCRIPTION  
FOR  
THE ABANDONMENT OF A PORTION OF  
OF A 12' SANITARY SEWER EASEMENT  
AS SHOWN IN ORB 5773, PG 966  
PALM BEACH COUNTY PUBLIC RECORDS**

**LEGAL DESCRIPTION:**

AN EASEMENT LYING IN A PORTION OF THE NORTH 330 FEET OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. SAID EASEMENT BEING 12 FOOT WIDE LYING 6 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF SECTION 24; THENCE SOUTH 88°29'59" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 24, A DISTANCE OF 354.46 FEET; THENCE SOUTH 01°30'01" WEST, A DISTANCE OF 250.77 FEET; THENCE NORTH 88°29'59" WEST, A DISTANCE OF 13.79 FEET TO THE POINT OF BEGINNING. THENCE NORTH 13°31'46" WEST, A DISTANCE OF 170.61 FEET; THENCE NORTH 01°30'01" EAST, A DISTANCE OF 6.11 FEET TO THE POINT OF TERMINUS, SAID POINT OF TERMINUS BEING THE SOUTH RIGHT OF WAY LINE AS SHOWN IN OFFICIAL RECORDS BOOK 4383, PAGE 364, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EASEMENT LINES TO BE LENGTHENED OR SHORTENED AS NEEDED.

CONTAINING: 2120.61 SQUARE FEET.

**SURVEYOR'S NOTES:**

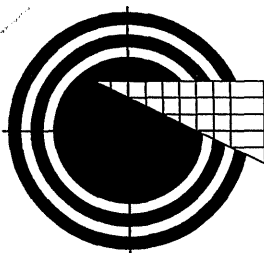
1. THIS IS NOT A BOUNDARY SURVEY
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD EXCEPT AS SHOWN ON THE RECORD PLAT IF ANY, BY THIS FIRM.
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
4. BEARINGS SHOWN HEREON ARE REFER TO AN GRID MERIDIAN OF N89°29'59"E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 24-42-43, BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, NAD 83/90, WITH 2011 ADJUSTMENTS.

REVISIONS: 1-27-20 COMMENTS

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THIS SURVEY MAP AND/OR REPORT WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

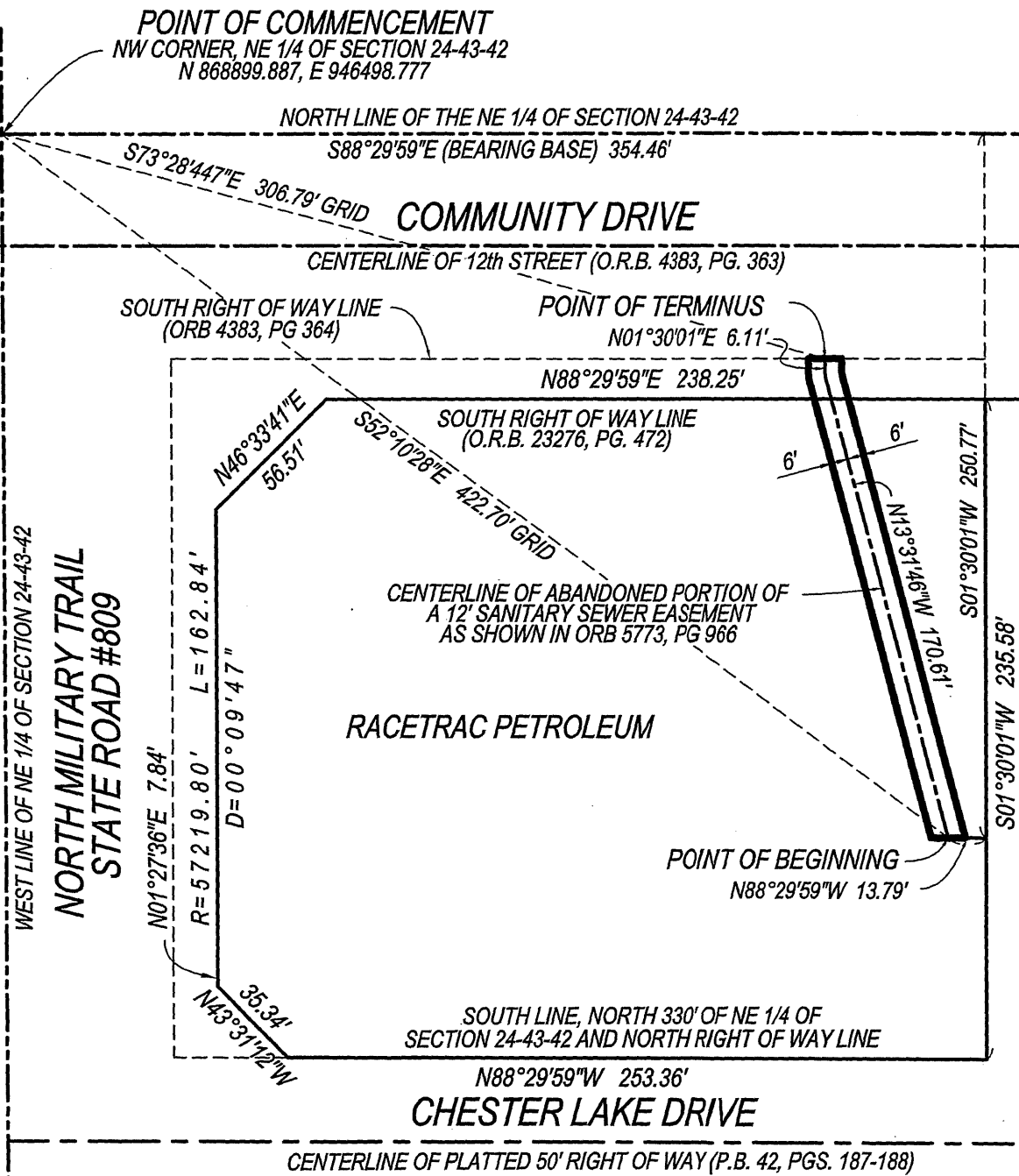
CRAIG D. WATSON  
PROFESSIONAL SURVEYOR & MAPPER  
NO. 5647 STATE OF FLORIDA



**WATSON | KILLANE**  
**SURVEYING AND MAPPING, INC.**  
2240 NE DIXIE HIGHWAY  
JENSEN BEACH, FLORIDA 34957  
PHONE 772-334-0868  
**WATSONKILLANE@GMAIL.COM**  
LICENSED BUSINESS NO. 8241

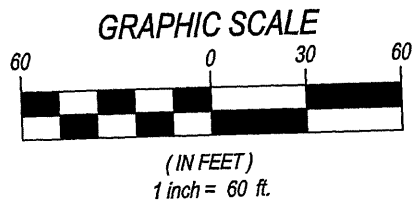
JOB #: 18-490  
FIELD DATE: 12-21-2019

SHEET 1 OF 2  
NOT VALID WITHOUT SHEET 2 OF 2



# **LEGEND:**

R = RADIUS  
D = DELTA  
L = ARC LENGTH  
O.R.B. = OFFICIAL RECORDS BOOK  
P.B. = PLAT BOOK  
PG. = PAGE  
PGS. = PAGES



JOB #: 18-490  
SHEET 2 OF 2  
NOT VALID WITHOUT SHEET 1 OF 2