

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 25, 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 28047 Page 762.

Summary: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the 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 and wastewater facilities. As a result of site development for Sinai Residences, this portion of 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 and wastewater facilities and therefore recommends approval of the release. District 5 (MJ)

Background and Justification: The utility easement listed above was granted/reserved to the County for public potable water and wastewater facilities associated with property identified by PCN 00-42-47-19-35-002-0050 on December 2, 2015.

Attachments:

1. Location Map ✓
2. Two (2) Original Partial Release of Utility Easement for ORB 28047, Page 762 ✓

Recommended By: Jim Stiles 7-23-2020
 Department Director Date

Approved By: Wesley Blair 8/12/2020
 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	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:

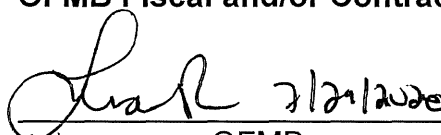
No Fiscal Impact.




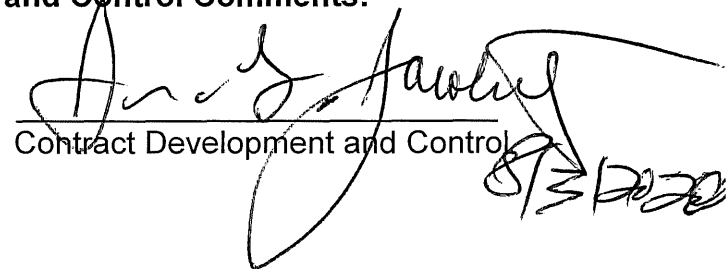
C. Department Fiscal Review: _____


III. REVIEW COMMENTS

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

 7/21/2020

 OFMB 



 Contract Development and Control 

B. Legal Sufficiency:

 8/12/2020

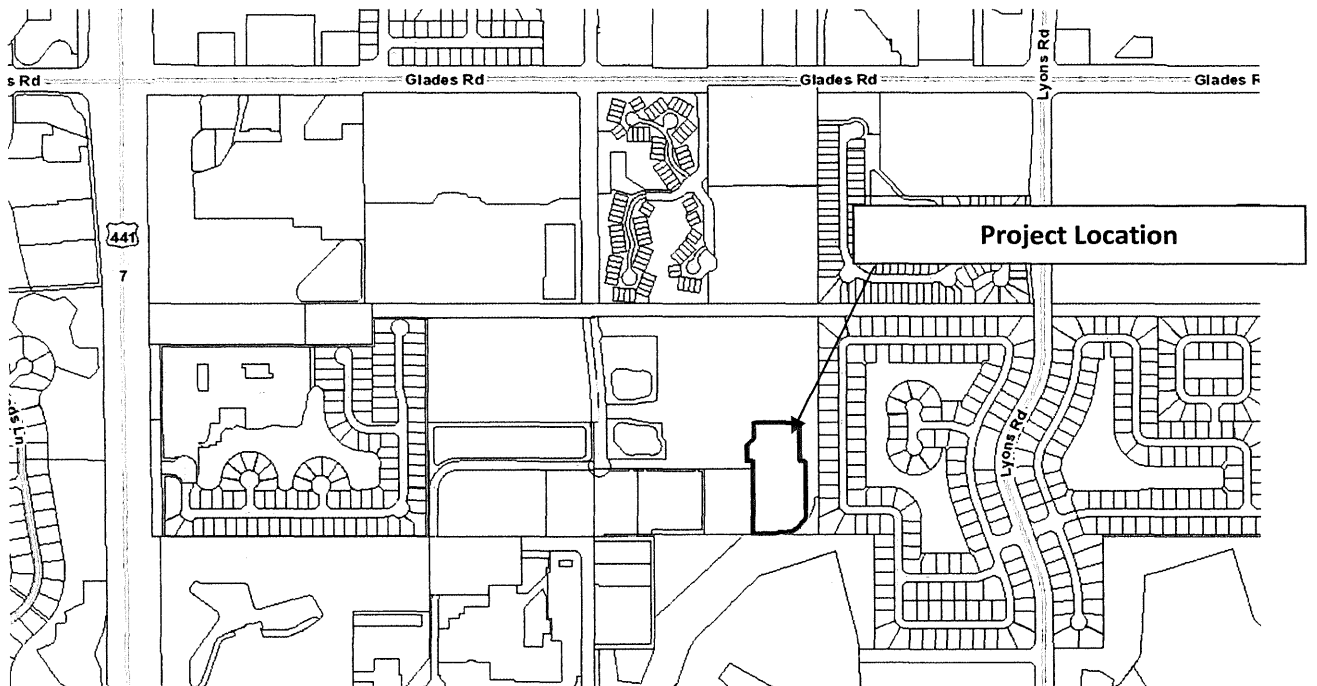
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

ATTACHMENT 1
Location Map



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 Federation CCRC Operations Corp. whose address is 9901 Donna Klein Blvd. Boca Raton, Florida 33428 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 28047, Page 762, 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" and Exhibit "B".

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

Jim
By: _____
Dave Kerner, Mayor *JCS*

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

LEGAL DESCRIPTION: PARTIAL RELEASE PALM BEACH COUNTY UTILITY EASEMENT

EXHIBIT "A"

A STRIP OF LAND LYING ON A PORTION OF TRACT B-1, RAINBERRY P.U.D., PODS A, B & C REPLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 118, AT PAGE 14 THROUGH 21 INCLUSIVE, AND A PORTION OF TRACT 2 BEING A PORTION OF TRACT B-1 AND DESCRIBED IN OFFICIAL RECORDS BOOK 26785, AT PAGE 268, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCE THE NORTHEAST CORNER OF SAID TRACT B-1; THENCE SOUTH 00°00'20" EAST ALONG THE EAST LINE OF TRACT B-1, FOR 841.98 FEET; THENCE SOUTH 89°59'40" WEST, FOR 78.67 FEET TO THE POINT OF BEGINNING AND TO A POINT ON AN EAST LINE OF THAT CERTAIN PALM BEACH COUNTY UTILITY EASEMENT RECORDED IN OFFICIAL RECORD BOOK 28047, AT PAGE 762, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; THENCE SOUTH 00°00'20" EAST ALONG SAID EAST LINE, FOR 28.84 FEET, THE FOLLOWING SEVEN (7) COURSES BEING ALONG THE SOUTHERLY LINES OF SAID EASEMENT; THENCE SOUTH 44°59'40" WEST, FOR 52.16 FEET; THENCE SOUTH 89°59'40" WEST, FOR 175.85 FEET; THENCE NORTH 44°54'26" WEST, FOR 17.17 FEET; THENCE SOUTH 00°00'10" WEST, FOR 42.11 FEET; THENCE NORTH 89°59'58" WEST, FOR 29.98 FEET; THENCE NORTH 00°00'57" WEST, FOR 31.71 FEET; THENCE SOUTH 89°51'16" WEST, FOR 61.45 FEET; THENCE NORTH 00°08'44" WEST, FOR 36.57 FEET, THE FOLLOWING SIX (6) COURSES BEING ALONG THE NORTHERLY LINES OF SAID EASEMENT; THENCE EAST, FOR 93.84 FEET; THENCE SOUTH 44°55'30" EAST, FOR 25.67 FEET; THENCE NORTH 89°59'40" EAST, FOR 159.26 FEET; THENCE NORTH 44°59'40" EAST, FOR 35.59 FEET; THENCE NORTH 87°36'37" WEST, FOR 18.64 FEET; THENCE NORTH 00°19'23" EAST, FOR 20.00 FEET; THENCE SOUTH 89°40'37" EAST, FOR 38.51 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 9,847 SQUARE FEET OR 0.226 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
2. BEARINGS BASED ON THE EAST LINE OF TRACT B-1, RAIN BERRY P.U.D., PODS A, B & C REPLAT NO.1, PLAT BOOK 118, PAGE 14-21, PALM BEACH COUNTY, FLORIDA, SAID SOUTH LINE BEARS S 00°00'20" E AND ALL OTHER BEARINGS RECITED HERON ARE RELATIVE THERETO.
3. THERE ARE OTHER EASEMENTS OF RECORD ON THIS SITE THAT ARE NOT SHOWN FOR CLARITY PURPOSES.
4. ROTATION EQUATION:


$$\frac{S\ 00^{\circ}00'20''\ E\ (\text{PLAT BEARING})}{S\ 00^{\circ}23'09''\ E\ (\text{GRID BEARING})} = 00^{\circ}22'49''$$
 COUNTER CLOCKWISE
 FOR THE FIRM: WGI

BY:  DATE: 4/9/20
 ERIC R. MATTHEWS P.S.M
 LICENSE NO. 6717
 STATE OF FLORIDA

LEGEND:

- C/L = CENTERLINE
- FPL = FLORIDA POWER & LIGHT
- ORB = OFFICIAL RECORDS BOOK
- PBCR = PALM BEACH COUNTY RECORDS
- PBCUE = PALM BEACH COUNTY UTILITIES EASEMENT
- PB = PLAT BOOK
- PG. = PAGE
- SUE = SHARED UTILITY EASEMENT

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT: <p style="text-align: center; font-size: 1.2em;">SINAI RESIDENCE PHASE 2</p>	TASK: PARTIAL RELEASE PALM BEACH COUNTY UTILITY EASEMENT										
PREPARED BY: <div style="text-align: center;">  <p>WGITM</p> </div> <p style="font-size: 0.8em;">2035 Vista Parkway, West Palm Beach, FL 33411 Phone No. 866.909.2220 www.wginc.com Cert No. 6091 - LB No. 7055</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">CAD 267501_PBCUE AB.DWG</td> </tr> <tr> <td style="padding: 2px;">DRAWN/DESIGNED</td> <td style="padding: 2px;">MRG</td> </tr> <tr> <td style="padding: 2px;">CHECKED/QC</td> <td style="padding: 2px;">ERM</td> </tr> <tr> <td style="padding: 2px;">JOB NO.</td> <td style="padding: 2px;">2675.01</td> </tr> <tr> <td style="padding: 2px;">DATE</td> <td style="padding: 2px;">04/08/2020</td> </tr> </table>	CAD 267501_PBCUE AB.DWG		DRAWN/DESIGNED	MRG	CHECKED/QC	ERM	JOB NO.	2675.01	DATE	04/08/2020
CAD 267501_PBCUE AB.DWG											
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SHEET: <p style="font-size: 1.5em;">1 of 4</p>											

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LAKE WORTH DRAINAGE DISTRICT L-46
(ORB 1585, PG. 505, PBCR)

50.00'
26.00'

26' CANAL RIGHT-OF-WAY
(ORB 6495, PG. 761, PBCR) (ORB 6495, PG. 1545, PBCR)
(ORB 6495, PG. 1165, PBCR) (ORB 6495, PG. 1554, PBCR)

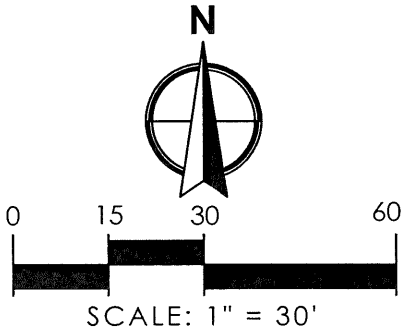
POINT OF
COMMENCEMENT
NORTHEAST CORNER
TRACT B-1

4' EXCLUSIVE EASEMENT
TO LAKE WORTH DRAINAGE DISTRICT
(ORB 9734, PG. 750, PBCR)

TRACT 2
PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
(PB 118, PG. 14, PBCR)
(ORB 26785, PG. 268, PBCR)

(BASIS OF BEARINGS)
EAST LINE TRACT B-1
S00°00'20"E 841.98'

THE TIMBERS OF BOCA
(PB 37, PG. 156-158, PBCR)



10' SUE
(ORB 27534, PG. 1935, PBCR)

FOR CONTINUATION SEE SHEET 3

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT:
SINAI RESIDENCE PHASE 2

TASK: PARTIAL RELEASE PALM BEACH COUNTY
UTILITY EASEMENT

PREPARED BY:



2035 Vista Parkway, West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wginc.com
Cert No. 6091 - LB No. 7055

CAD 267501_PBCUE AB.DWG

DRAWN/DESIGNED MRG

CHECKED/QC ERM

JOB NO. 2675.01

DATE 04/08/2020

SHEET:

2 of 4

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FOR CONTINUATION SEE SHEET 4

FOR CONTINUATION SEE SHEET 2

DEED LINE
(ORB 26785,
PG. 268, PBCR)
PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
(PB 118, PG. 14, PBCR)
(ORB 26785, PG. 268, PBCR)

10' SUE
(ORB 27534, PG. 1935, PBCR)

N00°19'23"E
20.00'
N87°36'37"W
18.64'
N44°59'40"E
35.59'

NORTHERLY EASEMENT LINE
N89°59'40"E 159.26'

S89°59'40"W 175.85'

DEED LINE
(ORB 26785,
PG. 268, PBCR)

PBCUE
(ORB 28047, PG. 762 PBCR)

S89°40'37"E
38.51'

EAST EASEMENT LINE

TRACT 2

PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
(PB 118, PG. 14, PBCR)
(ORB 26785, PG. 268, PBCR)

(BASIS OF BEARINGS)
EAST LINE TRACT B-1
S00°00'20"E 841.98'

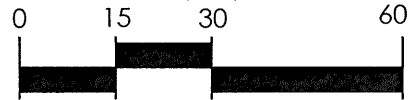
THE TIMBERS OF BOCA
(PB 37, PG. 156-158, PBCR)

POINT OF BEGINNING

S89°59'40"W
78.67'

S00°00'20"E
28.84'

S44°59'40"W
52.16'
SOUTHERLY EASEMENT LINE



SCALE: 1" = 30'

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT:
SINAI RESIDENCE PHASE 2

TASK: PARTIAL RELEASE PALM BEACH COUNTY
UTILITY EASEMENT

PREPARED BY:



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CAD 267501_PBCUE AB.DWG

DRAWN/DESIGNED MRG

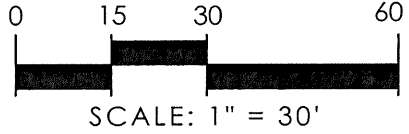
CHECKED/QC ERM

JOB NO. 2675.01

DATE 04/08/2020

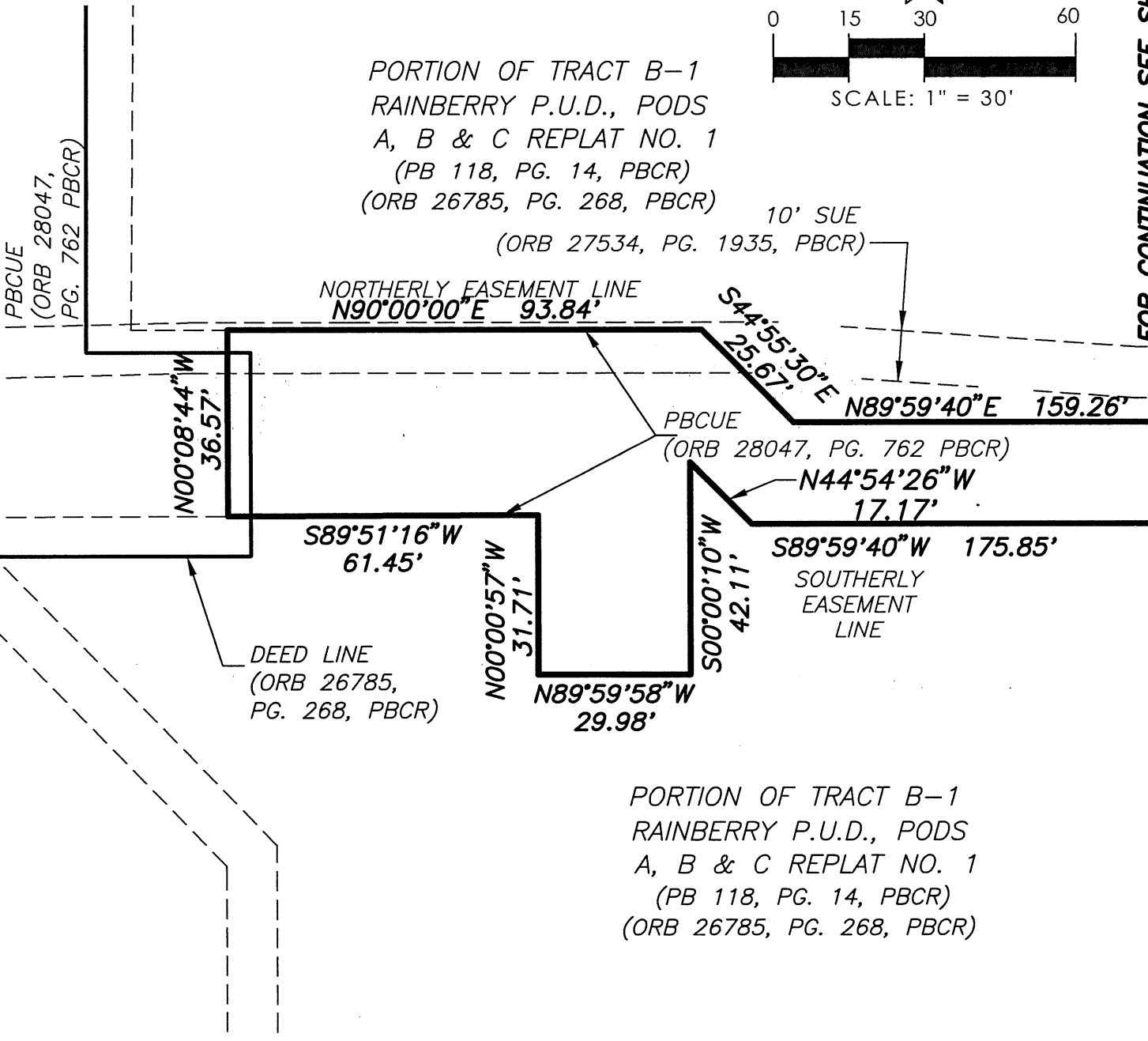
SHEET:

3 of 4



PORTION OF TRACT B-1
 RAINBERRY P.U.D., PODS
 A, B & C REPLAT NO. 1
 (PB 118, PG. 14, PBCR)
 (ORB 26785, PG. 268, PBCR)

10' SUE
 (ORB 27534, PG. 1935, PBCR)



FOR CONTINUATION SEE SHEET 3

PORTION OF TRACT B-1
 RAINBERRY P.U.D., PODS
 A, B & C REPLAT NO. 1
 (PB 118, PG. 14, PBCR)
 (ORB 26785, PG. 268, PBCR)

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT:
SINAI RESIDENCE PHASE 2

TASK: PARTIAL RELEASE PALM BEACH COUNTY
 UTILITY EASEMENT

PREPARED BY:



2035 Vista Parkway, West Palm Beach, FL 33411
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CAD 267501_PBCUE AB.DWG

DRAWN/DESIGNED MRG

CHECKED/QC ERM

JOB NO. 2675.01

DATE 04/08/2020

SHEET:

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LEGAL DESCRIPTION: PARTIAL RELEASE PALM BEACH COUNTY UTILITY EASEMENT

EXHIBIT "B"

A STRIP OF LAND LYING ON A PORTION OF TRACT 2, BEING A PORTION OF TRACT B-1, RAINBERRY P.U.D., PODS A, B & C REPLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 118, AT PAGE 14 THROUGH 21 INCLUSIVE, AND DESCRIBED IN OFFICIAL RECORDS BOOK 26785, AT PAGE 268, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE THE NORTHEAST CORNER OF SAID TRACT B-1; THENCE SOUTH 00°00'20" EAST ALONG THE EAST LINE OF TRACT B-1, FOR 660.71 FEET; THENCE SOUTH 89°59'40" WEST, FOR 389.20 FEET TO THE POINT OF BEGINNING AND TO A POINT ON AN EAST LINE OF THAT CERTAIN PALM BEACH COUNTY UTILITY EASEMENT RECORDED IN OFFICIAL RECORD BOOK 28047, AT PAGE 762, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, THE FOLLOWING THREE (3) COURSES BEING ALONG SAID EAST EASEMENT LINES; THENCE SOUTH 00°22'49" WEST, FOR 80.00 FEET; THENCE SOUTH 45°22'49" WEST, FOR 33.23 FEET; THENCE SOUTH 00°22'49" WEST, FOR 1.86 FEET; THENCE NORTH 89°37'11" WEST, FOR 36.00 FEET TO A WEST LINE OF SAID EASEMENT, THE FOLLOWING FOUR (4) COURSES BEING ALONG SAID WEST AND NORTH EASEMENT LINES; THENCE NORTH 00°22'51" EAST, FOR 8.28 FEET; THENCE NORTH 45°22'49" EAST, FOR 41.72 FEET; THENCE NORTH 00°22'49" EAST, FOR 67.58 FEET; THENCE SOUTH 89°37'11" EAST, FOR 30.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 3,521 SQUARE FEET OR 0.081 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

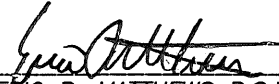
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 COUNTER CLOCKWISE


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FOR THE FIRM: WGI

BY:  DATE: 4/10/20
 ERIC R. MATTHEWS P.S.M
 LICENSE NO. 6717
 STATE OF FLORIDA

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT: SINAI RESIDENCE PHASE 2		TASK: PARTIAL RELEASE PALM BEACH COUNTY UTILITY EASEMENT	
PREPARED BY:  2035 Vista Parkway, West Palm Beach, FL 33411 Phone No. 866.909.2220 www.wginc.com Cert No. 6091 - LB No. 7055		CAD 267501_PBCUE AB2.DWG	
		DRAWN/DESIGNED MRG	SHEET: 1 of 4
		CHECKED/QC ERM	
		JOB NO. 2675.01	
		DATE 04/10/2020	

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LAKE WORTH DRAINAGE DISTRICT L-46
(ORB 1585, PG. 505, PBCR)

50.00'
26.00'

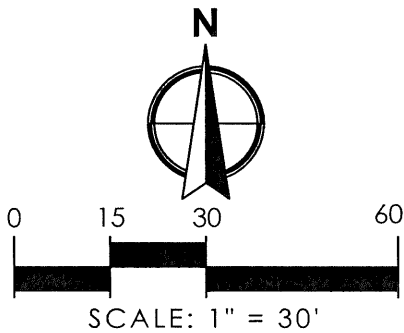
26' CANAL RIGHT-OF-WAY
(ORB 6495, PG. 761, PBCR) (ORB 6495, PG. 1545, PBCR)
(ORB 6495, PG. 1165, PBCR) (ORB 6495, PG. 1554, PBCR)

POINT OF COMMENCEMENT
NORTHEAST CORNER
TRACT B-1

4' EXCLUSIVE EASEMENT
TO LAKE WORTH DRAINAGE DISTRICT
(ORB 9734, PG. 750, PBCR)

TRACT 2
PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
(PB 118, PG. 14, PBCR)
(ORB 26785, PG. 268, PBCR)

(BASIS OF BEARINGS)
EAST LINE TRACT B-1
S00°00'20"E 660.71'
THE TIMBERS OF BOCA
(PB 37, PG. 156-158, PBCR)



10' SUE
(ORB 27534, PG. 1935, PBCR)

FOR CONTINUATION SEE SHEET 3

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT:
SINAI RESIDENCE PHASE 2

TASK: PARTIAL RELEASE PALM BEACH COUNTY
UTILITY EASEMENT

PREPARED BY:



2035 Vista Parkway, West Palm Beach, FL 33411
Phone No. 866.909.2220 www.wginc.com
Cert No. 6091 - LB No. 7055

CAD 267501_PBCUE AB2.DWG

DRAWN/DESIGNED MRG

CHECKED/QC ERM

JOB NO. 2675.01

DATE 04/10/2020

SHEET:

2 of 4

FOR CONTINUATION SEE SHEET 2

10' SUE
(ORB 27534, PG. 1935, PBCR)

10' SUE
(ORB 27534, PG. 1935, PBCR)

TRACT 2
PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
(PB 118, PG. 14, PBCR)
(ORB 26785, PG. 268, PBCR)

PBCUE
(ORB 28047, PG. 762 PBCR)

(BASIS OF BEARINGS)
EAST LINE TRACT B-1
S00°00'20"E 660.71'

THE TIMBERS OF BOCA
(PB 37, PG. 156-158, PBCR)

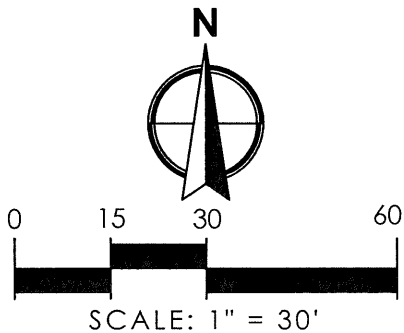
DEED LINE
(ORB 26785,
PG. 268, PBCR)

S89°59'40"W 389.20'

PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
(PB 118, PG. 14, PBCR)
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TRACT 2
PORTION OF TRACT B-1
RAINBERRY P.U.D., PODS
A, B & C REPLAT NO. 1
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(ORB 26785, PG. 268, PBCR)

FOR CONTINUATION SEE SHEET 4



(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT:
SINAI RESIDENCE PHASE 2

TASK: PARTIAL RELEASE PALM BEACH COUNTY
UTILITY EASEMENT

PREPARED BY:



2035 Vista Parkway, West Palm Beach, FL 33411
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CAD 267501_PBCUE AB2.DWG

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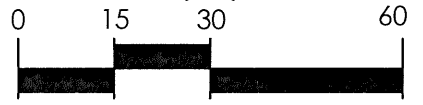
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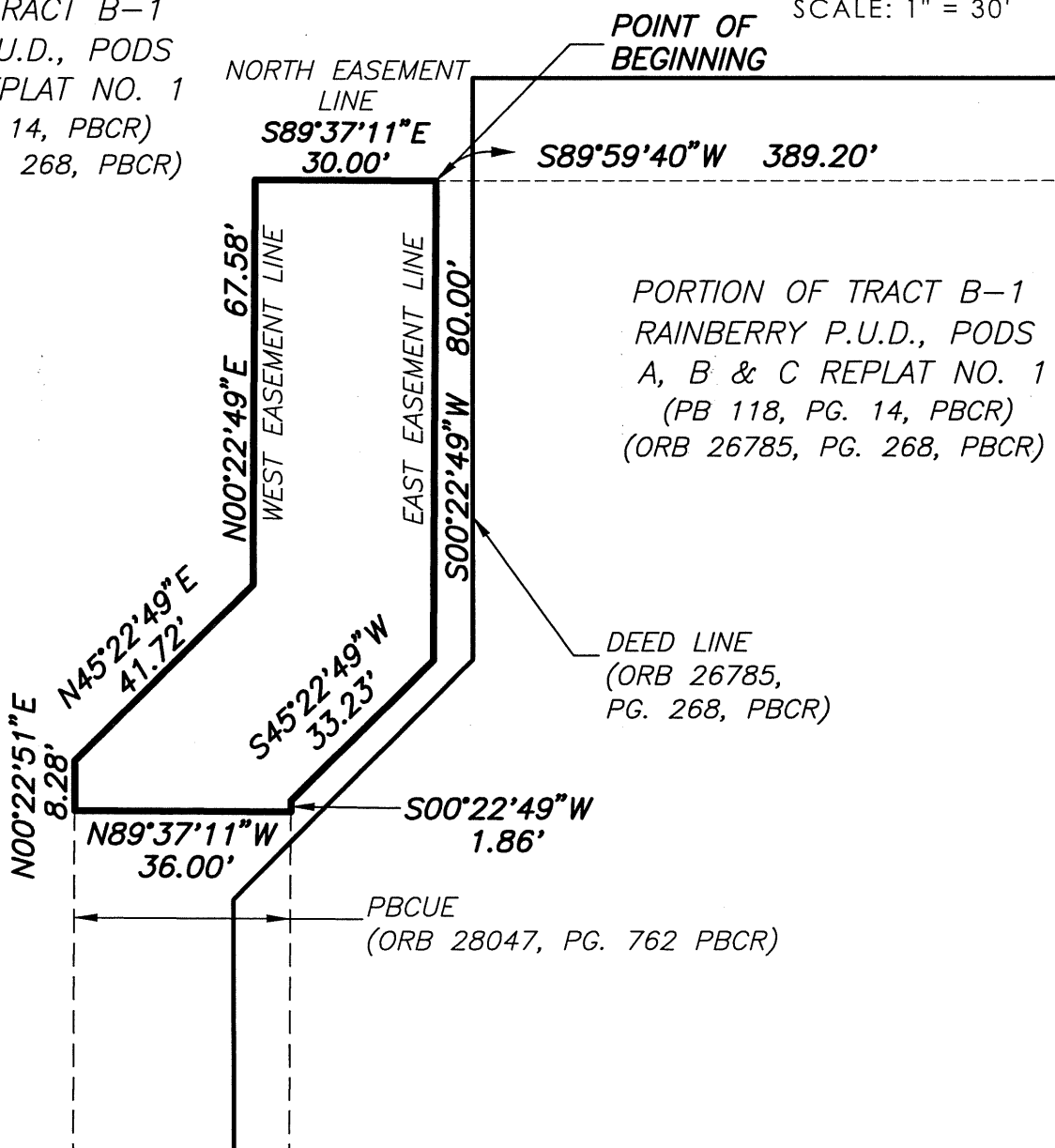
DATE 04/10/2020

SHEET:

3 of 4




TRACT 2
 PORTION OF TRACT B-1
 RAINBERRY P.U.D., PODS
 A, B & C REPLAT NO. 1
 (PB 118, PG. 14, PBCR)
 (ORB 26785, PG. 268, PBCR)



PORTION OF TRACT B-1
 RAINBERRY P.U.D., PODS
 A, B & C REPLAT NO. 1
 (PB 118, PG. 14, PBCR)
 (ORB 26785, PG. 268, PBCR)

FOR CONTINUATION SEE SHEET 3

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

PROJECT: SINAI RESIDENCE PHASE 2	TASK: PARTIAL RELEASE PALM BEACH COUNTY UTILITY EASEMENT										
PREPARED BY:  2035 Vista Parkway, West Palm Beach, FL 33411 Phone No. 866.909.2220 www.wginc.com Cert No. 6091 - LB No. 7055	<table border="1"> <tr> <td colspan="2">CAD 267501_PBCUE AB2.DWG</td> </tr> <tr> <td>DRAWN/DESIGNED</td> <td>MRG</td> </tr> <tr> <td>CHECKED/QC</td> <td>ERM</td> </tr> <tr> <td>JOB NO.</td> <td>2675.01</td> </tr> <tr> <td>DATE</td> <td>04/10/2020</td> </tr> </table> <div style="float: right; text-align: center;"> <p>SHEET:</p> <p>4 of 4</p> </div>	CAD 267501_PBCUE AB2.DWG		DRAWN/DESIGNED	MRG	CHECKED/QC	ERM	JOB NO.	2675.01	DATE	04/10/2020
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Mike Gregory C:\pwworking\mike1888923\267501_PBCUUDL AB2.dwg ---- Plotted: 4/10/2020 12:30:14 PM Saved: 4/10/2020 12:27:42 PM