

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: A) Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 25684, Page 1584; B) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 25684, Page 1587.

Summary: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the utility easements recorded in the Official Records of Palm Beach County as noted above. The Property Owner is requesting release of the portion of the easements that are no longer associated with any public potable water, reclaimed water and wastewater facilities. As a result of site development for Sherbrooke Center, these portions of the existing utility easements are no longer required. PBCWUD has determined that the release of these easements will not affect existing or new public potable water, reclaimed water and wastewater facilities; and therefore, recommends approval of the release. District 3 (MJ)

Background and Justification: The utility easements listed above were granted/reserved to the County for public potable water, reclaimed water and wastewater facilities associated with property identified by PCN 00-42-44-31-05-001-0020 on November 7, 2012.

Attachments:

1. Location Map ✓
2. Two (2) Original Release of Utility Easement for ORB 25684, Page 1584 ✓
3. Two (2) Original Partial Release of Utility Easement for ORB 25684, Page 1587 ✓

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

Approved By: [Signature] 8/4/2020
 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:

 _____ OFMB	 _____ Contract Development and Control
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B. Legal Sufficiency:



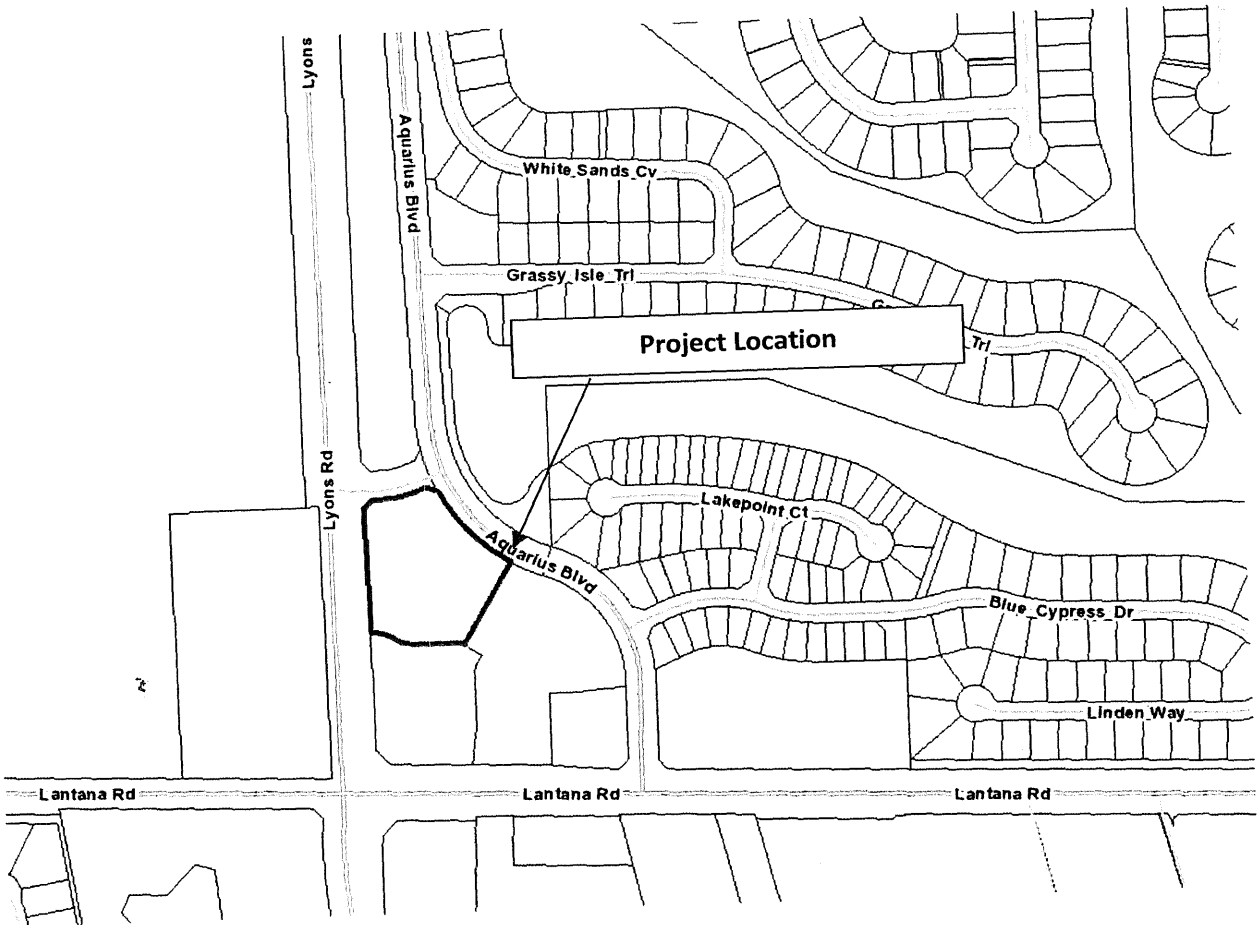
 Assistant County Attorney 8/3/2020

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

RELEASE OF UTILITY EASEMENT

THIS 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 Water Utilities Department, 8100 Forest Hill Blvd, West Palm Beach, Florida 33413, to Lyons Retail, Inc., whose address is 7806 Charney Lane Boca Raton, Florida 33496, 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 UTILITY EASEMENT recorded in Official Records Book 25684 Page 1584, Public Records of Palm Beach County, Florida.

THEREBY, the first party hereby releases any and all of its rights, title, and interest in that UTILITY EASEMENT as recorded in Official Records Book 25684 Page 1584.



IN WITNESS WHEREOF the first party has caused this 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: _____
David Kerner, Mayor 

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

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 Lyons Retail, Inc. whose address is 7806 Charney Lane Boca Raton, Florida 33496 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 25684, Page 1587, 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

DM
By: _____
Dave Kerner, Mayor

JCS

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

EXHIBIT "A"
UTILITY EASEMENT PARTIAL ABANDONMENT AT
PHASE 1 SHERBROOKE CENTER

LEGAL DESCRIPTION

A PORTION OF THAT UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 25684, PAGE 1587, BEING A 20 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL "A", **SHERBROOKE CENTER REPLAT NO. 3 M.U.P.D.**, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 110, PAGE 86, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY NORTHWEST CORNER OF SAID PARCEL "A; THENCE SOUTH 01°38'24" EAST, ALONG THE WEST LINE OF SAID PARCEL "A", AND THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD A DISTANCE OF 84.42 FEET; THENCE NORTH 89°38'24" EAST, A DISTANCE OF 44.60 FEET; THENCE SOUTH 00°00'36" WEST, A DISTANCE OF 20.00 FEET TO **THE POINT OF BEGINNING**.

THENCE SOUTH 00°00'36" WEST, A DISTANCE OF 25.89 FEET; THENCE SOUTH 89°55'23" EAST, A DISTANCE OF 25.45 FEET; THENCE SOUTH 00°45'40" EAST, A DISTANCE OF 181.60 FEET; THENCE SOUTH 89°14'20" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 00°45'40" WEST, A DISTANCE OF 161.87 FEET; THENCE NORTH 89°55'23" WEST, A DISTANCE OF 38.43 FEET; THENCE NORTH 01°38'24" WEST, A DISTANCE OF 20.03 FEET; THENCE SOUTH 89°55'23" EAST, A DISTANCE OF 13.29 FEET; THENCE NORTH 00°00'36" EAST, A DISTANCE OF 25.86 FEET; THENCE SOUTH 89°59'24" EAST, A DISTANCE OF 20.00 FEET TO **THE POINT OF BEGINNING**.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

NOTES:


1. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS IS NOT A SURVEY. IT IS A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
3. BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF AQUARIUS BOULEVARD RUNNING NORTH FROM LANTANA ROAD (S.R.812) HAVING AN ASSUMED BEARING OF N00°00'00"E ACCORDING TO THE PLAT OF SHERBROOKE CENTER REPLAT NO. 3, M.U.P.D. (P.B. 110, PG. 86).

ABBREVIATIONS:

A	= ARC LENGTH	P.B.	= PLAT BOOK
D	= DELTA (CENTRAL ANGLE)	PG.	= PAGE
O.R.B.	= OFFICIAL RECORDS BOOK	R	= RADIUS
P.O.B.	= POINT OF BEGINNING	R/W	= RIGHT-OF-WAY
P.O.C.	= POINT OF COMMENCEMENT	U.E.	= UTILITY EASEMENT

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



THOMAS A. ENGLISH
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. LS6930



HSQ GROUP, INC.
Engineers • Planners • Surveyors
1001 Yamato Rd., Suite 105
Boca Raton, Florida 33431 • 561.392.0221
CA26258 • LB7924

PROJECT: **SHERBROOKE CENTER**

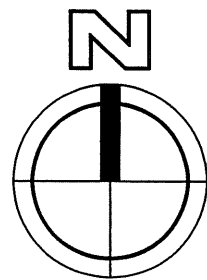
PROJECT NO.: 180447

DATE: 11/12/19

SHEET 1 OF 2

ROSEMONT DRIVE

AQUARIUS BLVD.



P.O.C.
MOST WESTERLY
NORTHWEST CORNER
TRACT "A"

PORTION OF UTILITY EASEMENT
(O.R.B. 25684, PG. 1587)
TO BE VACATED

N00°00'36"E
25.86'

S89°55'23"E
13.29'

N01°38'24"W
20.03'

N89°55'23"W
38.43'

LYONS RD.

W. LINE TRACT "A"
E. R/W LINE

84.42' S01°38'24"E

5' L.A.E.

20' L.B.E.

N89°38'24"E
44.60'

S00°00'36"W
20.00'

P.O.B.

S89°59'24"E
20.00'

S00°00'36"W
25.89'

S89°55'23"E
25.45'

N00°45'40"W 161.87'

S00°45'40"E 181.60'

PORTION OF PARCEL "A"
SHERBROOKE CENTER REPLAT NO. 3, M.U.P.D.
(P.B. 110, PG. 86)
(REFERENCE PARCEL O.R.B. 30705, PG. 209)

PORTIONS OF UTILITY EASEMENT
(O.R.B. 25684, PG. 1587)
TO BE VACATED

S89°14'20"W
20.00'

PORTION OF UTILITY EASEMENT
(O.R.B. 25684, PG. 1587)

LEGEND:

☉ CENTERLINE

ADDRESS PBCWUD COMMENTS	7/07/20	EC	TAE	
ADDRESS PBCWUD COMMENTS	6/16/20	EC	DCL	N/A
PHASE 1 UTILITY EASEMENT TO BE VACATED	11/12/19	EC	DCL	N/A
REVISIONS	DATE	BY	CK'D	FIELD BK.
PROJECT: SHERBROOKE CENTER	SCALE: 1" = 50'			
PROJECT NO.: 180447	SHEET 2 OF 2			