PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

February 9, 2021

Consent [X]

Public Hearing []

Regular []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 25684, Page 1587; B) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 25684, Page 1587; C) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 24069, Page 225.

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. Two Property Owners now own the property encumbered by the easement recorded in ORB 25684, Page 1587 therefore two (2) Partial Release of Utility Easements are required. The Property Owners are 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 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. <u>District 3</u> (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 00-42-44-31-05-001-0010 and PCN 00-42-44-31-05-001-0020 on November 7, 2012 and PCN 00-42-44-31-05-001-0020 on June 1, 2010.

Attachments:

- 1. Location Map
- 2. Two (2) Original Partial Release of Utility Easement for ORB 25684, Page 1587
- 3. Two (2) Original Partial Release of Utility Easement for ORB 25684, Page 1587
- 4. Two (2) Original Partial Release of Utility Easement for ORB 24069, Page 225

Recommended By:	Jim States	1-13-2021
·	Department Director	Date
Approved By:	2211 R Du	1/26/2021
, , , , , , , , , , , , , , , , , , ,	Assistant County Administrator	Date

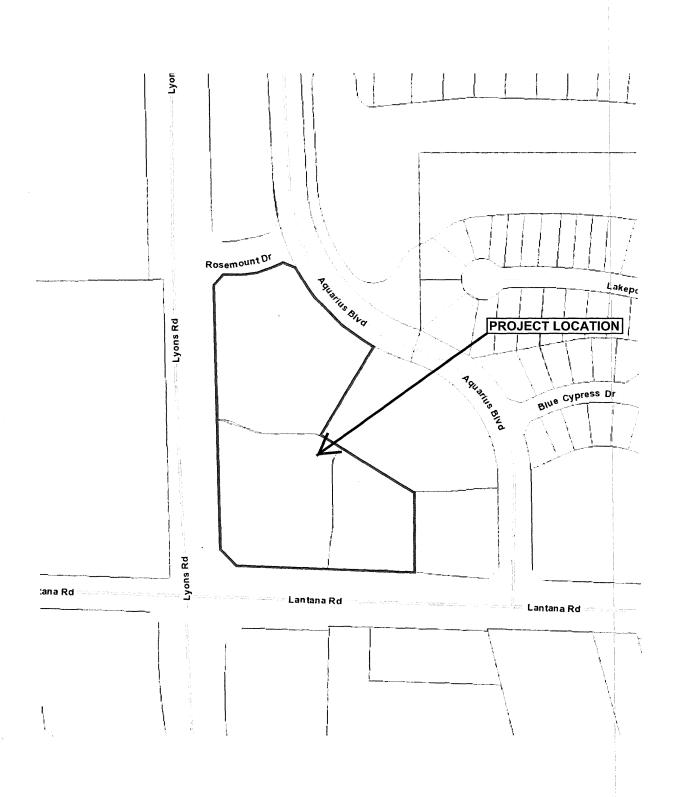
II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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Fisc	al Years	2021	2022	2023	2024	2025
Opei Exte Prog	tal Expenditures rating Costs rnal Revenues ram Income (County) nd Match County	<u>0</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>O</u> <u>O</u> <u>O</u> <u>O</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>
NET	NET FISCAL IMPACT 0 <u>0</u>			<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative) $\underline{0}$ $\underline{0}$ $\underline{0}$ $\underline{0}$			<u>0</u>			
Budget Account No.: Fund Dept Unit Object						
Is Ite	Is Item Included in Current Budget? Yes No					
Does	s this item include the use	of federal fo	unds?	Yes	No	
		R	eporting Cate	gory <u>N/A</u>		
B.	Recommended Source	s of Funds	s/Summary of	f Fiscal Impac	et:	
	No Fiscal Impact.					
C.	Department Fiscal Rev	iew:				
		III. REV	IEW COMME	<u>NTS</u>		
A. OFMB Fiscal and/or Contract Development and Control Comments: A. OFMB Fiscal and/or Contract Development and Control Contract Development and Control Contract Development and Control Contract Development and Control						
В.	Legal Sufficiency:			L	,	
	Assistant County	far Mil Attorney	Mach mes			
C.	Other Department Rev	iew:				
	 Department Direc	etor				

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 EASI	
Florida, first party, c/o Palm Beach County Waw West Palm Beach, Florida 33413, to <u>Concertain Concertain State 105, Garden State 105, Gar</u>	ot Real Property Holdings III, LLLP. whose
WITNES	SETH:
THAT the first party, for and in consider hand paid by the second party, the receipt of terminate, renounce, and release a portion of the Records Book 25684, Page 1587, Public Records	hat UTILITY EASEMENT recorded in Official
THEREBY, the first party hereby release in that portion of the UTILITY EASEMENT as attached hereto and incorporated herein as E	
IN WITNESS WHEREOF the first part UTILITY EASEMENT to be executed as of the	by has caused this PARTIAL RELEASE OF the day and year first written above.
ATTEST: Joseph Abruzzo, Clerk of the Circuit Court & Comptroller	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By:
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	
By: County Attorney	

UTILITY EASEMENT VACATION CONCEPT REAL PROPERTY HOLDINGS III LLLP SHERBROOKE CENTER

LEGAL DESCRIPTION

A 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 02°02'04" EAST, ALONG THE WEST LINE OF SAID PARCEL "A", AND THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD A DISTANCE OF 228.01 FEET; THENCE CONTINUING ALONG THE SAID WEST LINE, SOUTH 01°01'45" EAST A DISTANCE OF 97.17 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, AT WHICH A RADIAL LINE BEARS SOUTH 00°58'09" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 112.50 FEET AND A CENTRAL ANGLE OF 34°11'01", AN ARC DISTANCE OF 67.12 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 87.50 FEET AND A CENTRAL ANGLE OF 33°36'32", AN ARC DISTANCE OF 51.33 FEET; THENCE NORTH 89°36'20" EAST, A DISTANCE OF 116.99 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 37.50 FEET AND A CENTRAL ANGLE OF 31°09'55", AN ARC DISTANCE OF 20.40 FEET; THENCE SOUTH 59°13'45" EAST, A DISTANCE OF 53.11 FEET; THENCE SOUTH 30°46'15" WEST, A DISTANCE OF 26.72 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 42.95 FEET AND A CENTRAL ANGLE OF 31°09'55", AN ARC DISTANCE OF 23.36 FEET; THENCE SOUTH 00°23'40" EAST, A DISTANCE OF 5.23 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 45°25'36" EAST, A DISTANCE OF 6.01 FEET; THENCE SOUTH 00°23'40" EAST, A DISTANCE OF 22.29 FEET; THENCE SOUTH 45°25'36" EAST, A DISTANCE OF 11.74 FEET; THENCE NORTH 89°34'24" EAST, A DISTANCE OF 146.20 FEET; THENCE SOUTH 00°25'36" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89°34'24" WEST, A DISTANCE OF 154.49 FEET; THENCE NORTH 45°25'36" WEST, A DISTANCE OF 6.05 FEET; THENCE NORTH 00°23'40" WEST, A DISTANCE OF 50.56 FEET TO THE POINT OF BEGINNING;

CONTAINING 3,340 SQUARE FEET, MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

NOTES:

- 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.
- BEARINGS SHOWN HEREON ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD HAVING A GRID BEARING OF \$02°02'04"E AS SHOWN ON SHEET 3. 2 OF 2. BEARINGS ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (EAST) AND HAVE BEEN ROTATED 00°23'40" COUNTERCLOCKWISE FROM THE RECORDED PLAT BEARINGS.

ABBREVIATIONS:

= ARCLENGTH P.R. = PLAT BOOK = DELTA (CENTRAL ANGLE) = OFFICIAL RECORDS BOOK PG. O.R.B. R = RADIUS P.O.B. RW RIGHT-OF-WAY = POINT OF COMMENCEMENT = UTILITY EASEMENT P.O.C.

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 FLYRIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

DANIEL C. LAAV PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATIÓN NO. LS5118

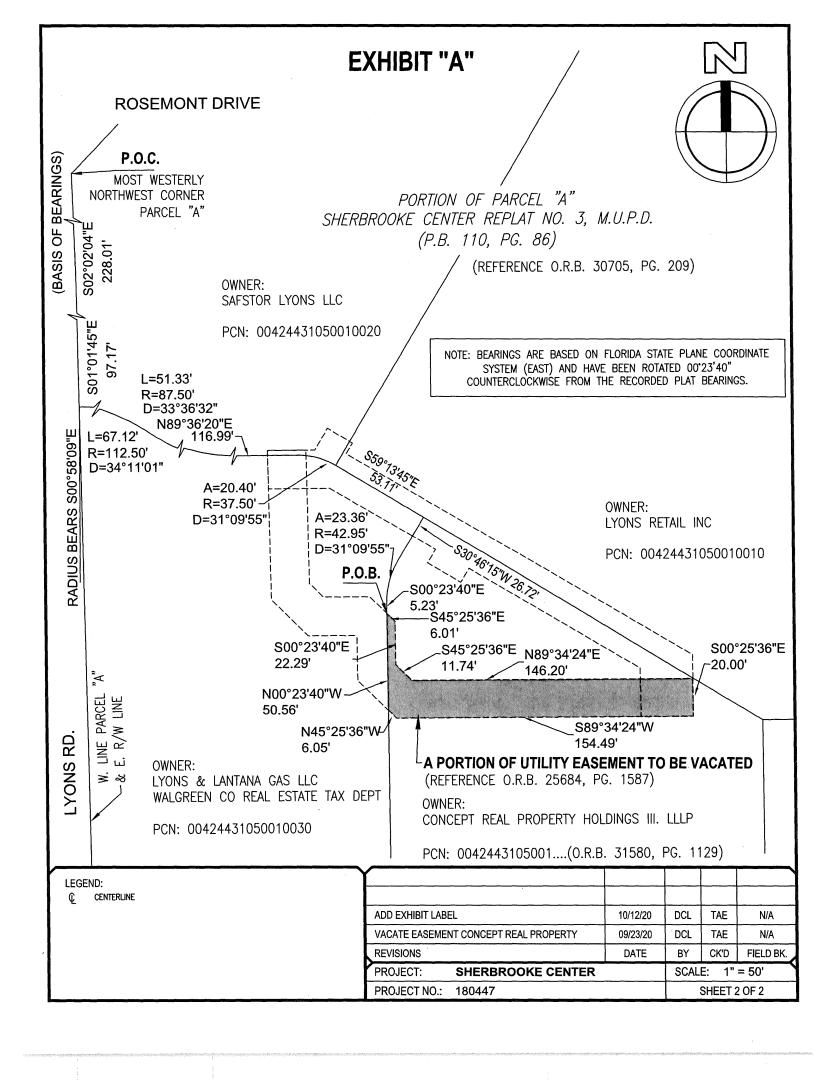


HSQ GROUP, INC.

Engineers · Planners · Surveyors

1001 Yamato Rd., Suite 105 Boca Raton, Florida 33431 • 561.392.0221 CA26258 • LB7924

PROJECT: S	HERBROOKE CENTER
PROJECT NO.:	180447
DATE:	9/23/20
SHEET 1 OF 2	



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 EASE, 2021, by Palm Beach Co	EMENT, executed thisday of ounty, 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 Safestor Lyons LLC whose address is 444 Seabreeze		
Blvd. #840, Daytona Beach, Florida 32118 second party:		
WITNESS	SETH:	
THAT the first party, for and in consider hand paid by the second party, the receipt of terminate, renounce, and release a portion of the Records Book 25684, Page 1587, Public Records	nat UTILITY EASEMENT recorded in Official	
THEREBY, the first party hereby release in that portion of the UTILITY EASEMENT as attached hereto and incorporated herein as E	•	
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:		
	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY	
Joseph Abruzzo, Clerk of the Circuit Court & Comptroller	COMMISSIONERS	
By:	By :	
Deputy Clerk	Dave Kerner, Mayor	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY		
Ву:		
County Attorney		

UTILITY EASEMENT VACATION SAFSTOR LYONS LLC SHERBROOKE CENTER

EXHIBIT A

LEGAL DESCRIPTION

A 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 02°02'04" EAST, ALONG THE WEST LINE OF SAID PARCEL "A", AND THE EAST RIGHT-OF-WAY LINE OF LYONS ROAD A DISTANCE OF 228.01 FEET; THENCE CONTINUING ALONG THE SAID WEST LINE, SOUTH 01°01'45" EAST A DISTANCE OF 97.17 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, AT WHICH A RADIAL LINE BEARS SOUTH 00°58'09" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 112.50 FEET AND A CENTRAL ANGLE OF 34°11'01", AN ARC DISTANCE OF 67.12 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 87.50 FEET AND A CENTRAL ANGLE OF 33°36'32", AN ARC DISTANCE OF 51.33 FEET; THENCE NORTH 89°36'20" EAST, A DISTANCE OF 101.07 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 89°36'20" EAST, A DISTANCE OF 15.92 FEET; TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 37.50 FEET AND A CENTRAL ANGLE OF 06°14'46", AN ARC DISTANCE OF 4.09 FEET; THENCE NORTH 01°00'45" EAST, A DISTANCE OF 2.74 FEET; THENCE SOUTH 89°36'20" WEST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 01°00'45" EAST, A DISTANCE OF 2.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 50 SQUARE FEET, MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

NOTES:

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SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFICATION:

I HEREBY CERTIFICATION AND SKETCH SHOWN HEREON MEETS THE STANDARDS OF PRACTICE CONTAINED IN CHAPTER 51-77 OF THE FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

DANIEL C. LAAK
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGIST/RATION NO. LS5118

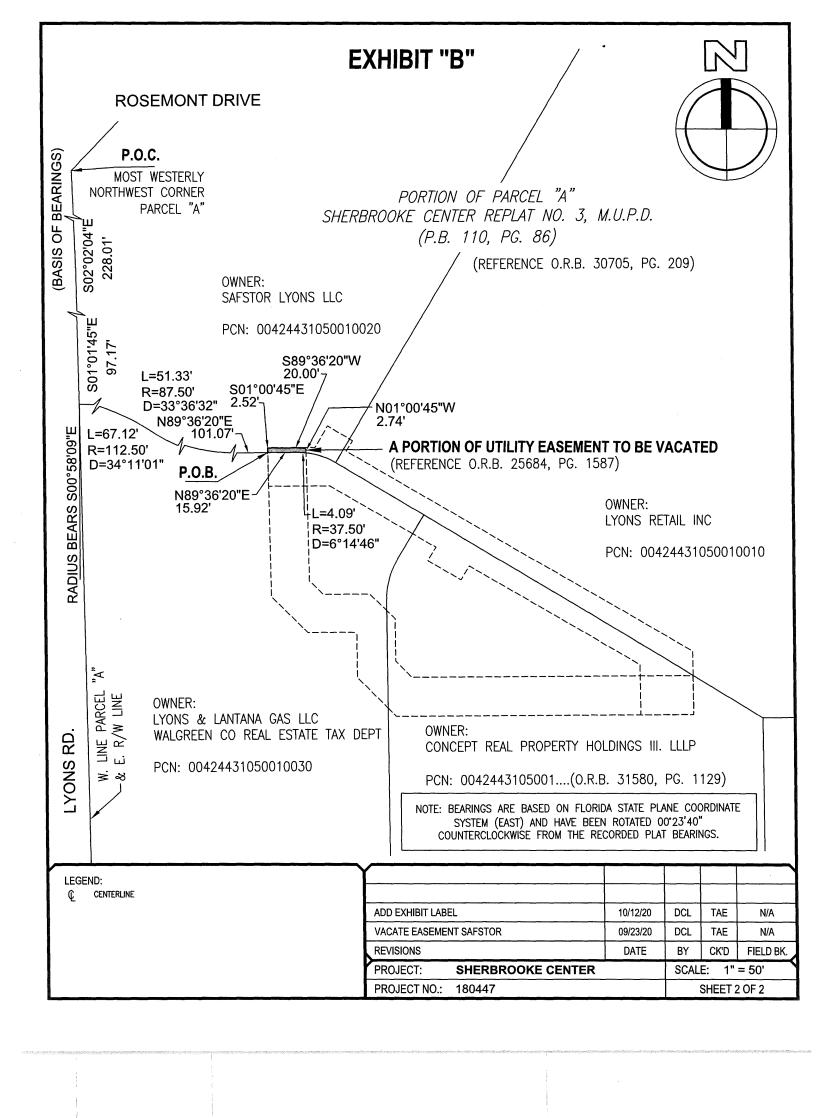


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SHEFT 1 OF 2	



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Florida, first party, c/o Palm Beach County Wat West Palm Beach, Florida 33413, to Lyons &	er Utilities Department, 8100 Forest Hill Blvd,
Charney Lane, Boca Raton, Florida 33496 se	
WITNESS	SETH:
THAT the first party, for and in consider hand paid by the second party, the receipt of terminate, renounce, and release a portion of the Records Book 24069, Page 225, Public Records	nat UTILITY EASEMENT recorded in Official
THEREBY, the first party hereby releas in that portion of the UTILITY EASEMENT as attached hereto and incorporated herein as E	•
IN WITNESS WHEREOF the first part UTILITY EASEMENT to be executed as of the	y has caused this PARTIAL RELEASE OF e day and year first written above.
ATTEST:	
	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY
Joseph Abruzzo, Clerk of the Circuit Court & Comptroller	COMMISSIONERS
By:	By:
Deputy Clerk	By: Dave Kerner, Mayor づい
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	
By:	
County Attorney	

UTILITY EASEMENT VACATION LYONS & LANTANA GAS LLC SHERBROOKE CENTER

LEGAL DESCRIPTION

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CONTAINING 3,000 SQUARE FEET, MORE OR LESS.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

NOTES:

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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.

DANIEL C. LAAK

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. LS5118



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