PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

March 9, 2021

Consent [X]
Public Hearing []

Regular []

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 14578 Page 1895.

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, reclaimed water and wastewater facilities. As a result of site development for Aldi (Florida) L.L.C., 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, reclaimed water and wastewater facilities and therefore recommends approval of the release. <u>District 6</u> (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 72-41-43-25-23-009-0000 on December 12, 2002.

Attachments:

1. Location Map

2. Two (2) Original Partial Release of Utility Easement for ORB 14578, Page 1895

Approved By:

| For JC 5 Alu 3ayaf 2123/2|
| Department Director Date | 2/26/202|

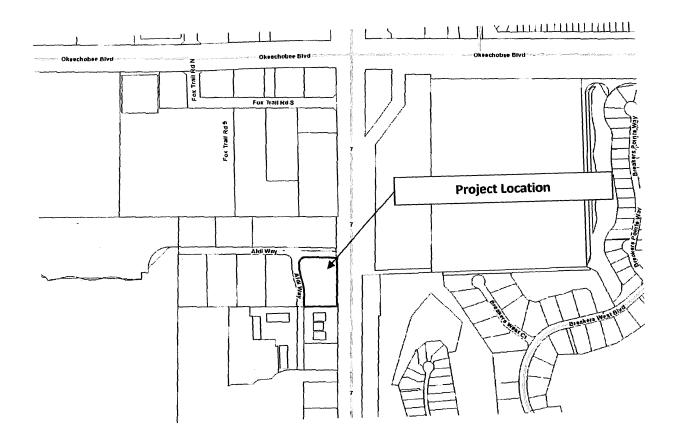
II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025	
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match County	<u>0</u>	0000	<u>0</u>	<u>0</u>	0 0 0 0 0	
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	D	ept	Unit	Object		
Is Item Included in Current Budget?			Yes	No		
Does this item include the use of federal funds?			Yes	No		
Reporting Category <u>N/A</u>						
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 BR 2024 Contract Development and Control 2-75-2170						
B. Legal Sufficiency:						
Assistant County Attorney						
C. Other Department Rev	iew:					
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 EASE, 2021, by Palm Beach Co Florida, first party, c/o Palm Beach County Wate West Palm Beach, Florida 33413, to Aldi (Florida Road, Batavia, Illinois 60510 second party:	ounty, a political subdivision of the State of er Utilities Department, 8100 Forest Hill Blvd,			
WITNESS	ETH:			
THAT the first party, for and in considerable hand paid by the second party, the receipt of terminate, renounce, and release a portion of the Records Book 14578, Page 1895, Public Records	at 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 Ex				
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.				
Joseph Abruzzo, Clerk of the Circuit Court & Comptroller	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS			
By: Deputy Clerk	By: ✓ Dave Kerner, Mayor			
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	A13 for JCS			
By: County Attorney				

DESCRIPTION SKETCH FOR: ALDI FLORIDA LLC

UTILITY EASEMENT ABANDONMENT

LEGAL DESCRIPTION:

A portion of the Village of Royal Palm Beach utility easement recorded in Official Records Book 14578, Page 1895 lying within Parcel 10, **ALDI PARK**, as recorded in Plat Book 116, Page 17, both recorded in the Public Records of Palm Beach County, Florida, being more particularly described as follows:

BEGIN at the South West corner of said Parcel 10;

thence South 88°50'01" East, along the South line of said Parcel 10 (said South line is assumed to bear South 88°50'01" East, and all other bearings are relative thereto), a distance of 0.58 feet to a point; thence North 00°36'51" East, departing said South line, a distance of 4.10 feet to a point; thence South 88°50'01" East, a distance of 174.09 feet to a point on the West line of the utility easement described in Official Records Book 27258, Page 758, Public Records of Palm Beach County, Florida; thence North 01°09'59" East, along said West line, a distance of 12.00 feet to a point; thence North 88°50'01" West, departing said West line, a distance of 174.20 feet to a point; thence North 00°36'51" East, a distance of 11.48 feet to a point on the West line of said Parcel 10; thence South 01°49'49" West, along said West line, a distance of 27.60 feet to the **POINT OF BEGINNING**.

Containing in all 2,098 square feet, more or less.

NOTES:

- 1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
- This sketch cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation.

This is not a survey!

4. Unless presented in digital form with electronic seal and electronic signature this sketch must bear the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid. This sketch must be accompanied by Sheet No. 2 of 2.

CERTIFICATION:

I HEREBY ATTEST that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

Craig L Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357



BURVEYING

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 10/07/20 DWG. No.: 20-1134-1
OFFICE: S.W. SHEET: 1 OF 2
C'K'D.: C.W. JOB No.: 20-1134-2

