Agenda Item #: 3-C-3

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### AGENDA ITEM SUMMARY

Meeting Date: November 16, 2021		[X]	Consent Workshop	[]	Regular Public Hearing		
Department: Submitted By: Submitted For:	epartment: Engineering & Public Works Department ubmitted By: Engineering & Public Works Department						
	I. E.	XECUTI	VE BRIEF				
and filing of a main Sundy Road from Drainage District (L has been continuous SUMMARY: Adopmaintained and repabeing filed with the Section 95.361(2), I County maintains the Background and Juse as shown on The 2, Page 26. Some poutside of the dedic County Engineering LWDD L-33 Canal realign Half Mile R 2019106) (Projects established by the Ethe Map will enably bridge replacement.)	the north right-of-w WDD) L-32 Canal, the ly maintained and re- otion of this Resolut- nired for the immedia Clerk of the Circui- Florida Statutes. The the Corridor, as shown that the Engine of the existing that the existing and at Atlantic Aver to The Map is being ingineering Department of the Engineering Department in proper order, st	for Palm ray line of hrough Sepaired for ion will of the past set Court, a Road and non the Mon of the Co Plat Ming Smith pad right-rently play 17514) the to interest of the coent's Road pepartment associated	Beach Country of Atlantic Avertion 18, Toward the immediate ertify that the even years by and is vested in Bridge Divise Map. District 5  Corridor was do a Sundy Road, of-way along anning to replay through an Infraresect with Smertify the limit and Bridge Dat to established with the Pro-	y (County venue No nship 465 e past seve Corridor the County the County the County the County the County the east of the castructural sundates of mainty is of ma	approve the recordation y), certifying that Smith orth to the Lake Worth S, Range 42E (Corridor), wen years by the County. It has been continuously ty, as shown in the Map unty in accordance with etor has certified that the as an easement for public ay 21, 1912 in Plat Book the Corridor, are located tide of the Corridor. The existing bridge over the existing bridge ove		
Attachments: 1. Location Map 2. Resolution 3. Maintenance Ma	p (34" X 44" Mylar)	1					
Recommended by	Syph/TEL <	Java	12,	tel	10/27/2021		
	County E	Engineer	·		Date		

**Assistant County Administrator** 

Approved by:

#### II. FISCAL IMPACT ANALYSIS

#### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	<b>\$ -0-</b>	0			
<b>Operating Costs</b>	-0-	-0-	0-	-0-	0-
External Revenues	0-	-0-	-0-	-0-	<u>-0-</u>
Program Income (County)					
In-Kind Match (County)	0-				<u>-0-</u>
NET FISCAL IMPACT	<u>\$ -0-</u>				
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No Does this item include the use of federal funds? Yes No X

#### Budget Account No:

Fund

Dept

Unit

Object

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

\*\*Fiscal impact is indeterminable at this time. The County road has been regularly maintained or repaired for the immediate past seven years. Future maintenance expenses are subject to annual budget approval.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

16/86/01 who 10/38/13/

Contract Dev. and Control

B. Approved as to Form

and Legal Sufficiency:

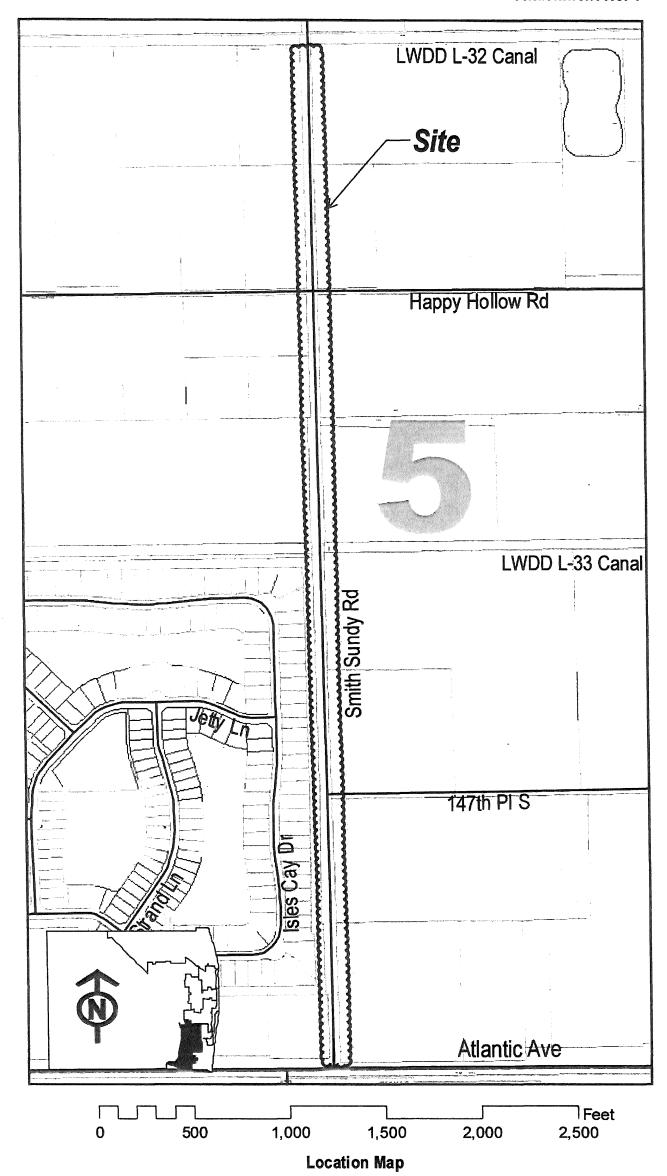
sistant County Attorney

C. Other Department Review:

**Department Director** 

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

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#### RESOLUTION NO. R2021-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO APPROVE THE RECORDATION AND FILING OF A MAINTENANCE MAP FOR PALM BEACH COUNTY CERTIFYING THAT SMITH SUNDY ROAD FROM THE NORTH RIGHT-OF-WAY LINE OF ATLANTIC AVENUE NORTH TO THE LAKE WORTH DRAINAGE DISTRICT L-32 CANAL, THROUGH SECTION 18, TOWNSHIP 46S, RANGE 42E (CORRIDOR), HAS BEEN CONTINUOUSLY MAINTAINED AND REPAIRED FOR THE IMMEDIATE PAST SEVEN YEARS BY PALM BEACH COUNTY.

WHEREAS, Smith Sundy Road from the north right-of-way line of Atlantic Avenue North to the Lake Worth Drainage District L-32 Canal, through Section 18, Township 46S, Range 42E (Corridor), has been continuously maintained and repaired for the immediate past seven years by Palm Beach County (County); and

WHEREAS, Section 95.361(2), Florida Statutes, states that when a road has been regularly maintained or repaired for the immediate past seven years by the County, the road shall be deemed to be dedicated to the public to the extent of the width that actually has been maintained or repaired for the prescribed period. The dedication shall vest all rights, title, easement, and appurtenances in and to the road in the County; and

WHEREAS, the Road and Bridge Division Director has certified that the County has maintained and repaired the Corridor as shown on the maintenance map; and

WHEREAS, Section 95.361(3), Florida Statutes, further states that a maintenance map shall be filed with, and duly certified by, the office of the Clerk of the Circuit Court (Clerk) of the county where the road is located, and said filing shall be prima facie evidence of ownership of the land by the county.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- 1. The foregoing recitals are hereby reaffirmed and ratified.
- 2. The Mayor of the Board of County Commissioners and the County Engineer are hereby authorized to sign the maintenance map and the Clerk is authorized to sign same.

#### RESOLUTION NO. R2021-\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY By:  Yehraveta B. Herman, Assistant County Attorney  PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT	The foregoing Resolution was offered by Commis	ssioner who moved its				
Commissioner Maria G. Marino, District 1  Commissioner Gregg K. Weiss, District 2  Commissioner Dave Kerner, District 3  Commissioner Robert S. Weinroth, District 4  Commissioner Maria Sachs, District 5  Commissioner Melissa McKinlay, District 6  Commissioner Mack Bernard, District 7  The Mayor thereupon declared the Resolution duly passed and adopted this day of, 20  APPROVED AS TO FORM AND LEGAL SURFICIENCY By:	adoption. The motion was seconded by Commission	oner and upon being put				
Commissioner Gregg K. Weiss, District 2  Commissioner Dave Kerner, District 3  Commissioner Robert S. Weinroth, District 4  Commissioner Maria Sachs, District 5  Commissioner Melissa McKinlay, District 6  Commissioner Mack Bernard, District 7  The Mayor thereupon declared the Resolution duly passed and adopted this day of  APPROVED AS TO FORM AND LEGAL SUFFICIENCY SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS  Yelf Jacque B. Herman, Assistant County Attorney JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT	to a vote, the vote was as follows:					
Commissioner Gregg K. Weiss, District 2  Commissioner Dave Kerner, District 3  Commissioner Robert S. Weinroth, District 4  Commissioner Maria Sachs, District 5  Commissioner Melissa McKinlay, District 6  Commissioner Mack Bernard, District 7  The Mayor thereupon declared the Resolution duly passed and adopted this day of  APPROVED AS TO FORM AND LEGAL SUFFICIENCY SUBDIVISION OF THE STATE OF FLORIDA, BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS  Yelf Jacque B. Herman, Assistant County Attorney JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT						
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Assistant County Attorney  JOSEPH ABRUZZO,  CLERK OF THE CIRCUIT COURT	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	BOARD OF COUNTY COMMISSIONERS				
CLERK OF THE CIRCUIT COURT	,	IOSEDII ADDII77O				
	Assistant County Attorney					
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AND CONDITIONS						
Drii Alla Commence de la commence de	Pr. 1118)	Dv.				
By: By: Division Director Deputy Clerk						

## PLACE MARKER FOR MAINTENANCE MAP

# THE 34 X 44 ORIGINAL MYLAR IS ATTACHED TO THE ORIGINAL AGENDA ITEM