

# **TOWN OF PALM BEACH**

Information for Town Council Meeting on: June 12, 2018

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TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works

RE: Authorization to Vacate and Abandon an Existing Public Utility Easement  
Located at 218 La Puerta Way, Palm Beach, Florida 33480  
**Resolution No. 75-2018**

DATE: May 16, 2018

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## **STAFF RECOMMENDATION**

Town staff recommends that Town Council approve Resolution No. 75-2018 authorizing the abandonment of an existing public utility easement located at 218 La Puerta Way. If Town Council approves the abandonment of the utility easement, said approval should be with the condition that the owner shall pay all fees related to implementing the vacating and abandonment, including but not limited to recording fees.

## **GENERAL INFORMATION**

In accordance with Town Code of Ordinances, Chapter 106, Article IV, the owner of the property has made application to abandon the public utility easement on 218 La Puerta Way. The easements to be abandoned are shown as Exhibit A, Sketch and Legal Description of the proposed Resolution. An application fee of \$1,000 was received with the application for abandonment to cover direct costs and processing by the Town.

The applicant recently terminated the Unity of Title, dividing the property into two parcels 218 La Puerta Way and 217 El Pueblo Way, so that two (2) single family residences can be built. The previously abandoned public utility easements have been re-dedicated in place of the public utility easement to be abandoned. The re-dedicated easements are shown as Exhibit B, Sketch and Legal Description of the proposed Resolution. All existing utilities within portions of the easements proposed to be abandoned have provided consent. The abandonment of the existing utility easement is being made to unencumber the newly formed single property.

All utilities have been contacted and have agreed to the abandonment as described.

Information packages were sent to the 50 neighboring property owners within 300 feet of the easements to be abandoned via certified mail on May 18, 2018. To date, no responses have been received from the neighboring property owners. The abandonment request was also advertised prior to this Town Council meeting as required by Town Code.

This is an abandonment of an existing utility easement and no property is being gained by the owner. Therefore, a privilege fee is not applicable.

**FUNDING/FISCAL IMPACT**

There is no fiscal impact to the Town.

**TOWN ATTORNEY REVIEW**

This Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works  
Patricia Strayer, P.E., Town Engineer  
Craig Hauschild, P.E., Civil Engineer