

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

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 Sewer Easement
Located at 1576 South Ocean Boulevard, Palm Beach, Florida 33480
Resolution No. 159-2018

DATE: September 24, 2018

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 159-2018 authorizing the abandonment of an existing public utility sewer easement located at 1576 South Ocean Boulevard. 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 sewer easement on 1576 South Ocean Boulevard. The easement to be abandoned is 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 property owner is planning on further developing the subject property with improvements that could potentially traverse the existing sewer easement. A new easement across the property has been dedicated. The dedicated easement is 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.

This is an exclusive public utility sewer easement, which the Town has agreed to the abandonment as described.

Information packages were sent to the ten (10) neighboring property owners within 300 feet of the easement to be abandoned via certified return receipt mail on September 17, 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