TOWN OF PALM BEACH ABANDONMENT OF DEDICATED PUBLIC PROPERTY (RIGHT-OF-WAY AND EASEMENTS)

A pre-application meeting with the Public Works Department (Town Engineer) is required prior to submission of application for abandonment of dedicated public property.

Application Form

In accordance with "Town of Palm Beach Code of Ordinances, Chapter 106, Article IV. Vacation and Abandonment of Streets and Easements," please complete this application for Abandonment of Dedicated Public Property. Submit an application fee of \$1,000.00 and one original plus twenty (20) copies of the signed application to the Director of Public Works, Town of Palm Beach, 951 Old Okeechobee Road, West Palm Beach, FL 33401. A privilege fee of 100 percent of the total land value of the petitioned site may be required upon approval of the application by the Town Council, and a portion of the application fee may be credited towards the privilege fee.

| 1. | APPLICANT'S NAME: | ADDRESS: | | |
|-----|---|--|--|--|
| Mar | rtin D. and Audrey Gruss | 1576 South Ocean Boulevard | | |
| | | Palm Beach, FI 33480 | | |
| 2. | TYPE OF PUBLIC PROPERTY TO | BE ABANDONED (Easement or Right-of-Way): | | |
| Se | wer easement | | | |
| 3. | PROPERTY ADDRESS: | | | |
| 157 | 76 South Ocean Boulevard | | | |
| 4. | LEGAL DESCRIPTION OF PETITIONED SITE: (Provide legal description and a sc map, drawing or plat showing the area involved and the location of the specific prop of interest to be abandoned. Label as "EXHIBIT A") | | | |
| See | e attached "Exhibit A" | | | |
| 5. | REASON FOR ABANDONMENT F as "EXHIBIT B") | REQUEST: (Use additional sheets, if necessary, and label | | |
| | | n further developing the subject property_entially traverse the existing sewer easement. | | |
| | | | | |

| 6. | NAME AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN 300 FEET OF THE |
|----|--|
| | PETITIONED SITE: (Use additional sheets, if necessary, and label as "EXHIBIT C") |

See attached "Exhibit C"

| 7. | ATTACH CONSENT LETTERS FROM <u>ALL</u> UTILITY PROVIDERS LISTED BELOW WHETHER THEY HAVE FACILITIES IN THE PETITIONED SITE OR NOT: | | | | |
|---------|---|--|--|---|--|
| | | BellSouth | | Florida Public Utilities | |
| | | City of West Palm Beach | | Town of Palm Beach - Electrical Bureau | |
| | | Adelphia Cable TV | $ \underline{\checkmark} $ | Town of Palm Beach - Water Resources Div. | |
| | | Florida Power & Light | Other | : | |
| | | CK-MARK (√) ONLY TH TIONED SITE | IOSE | UTILITY PROVIDERS OCCUPYING THE | |
| 8. | APPL | ICANT'S SIGNATURE: | | 9. DATE: 8-6-18 | |
| I Cert | ify that | the information given in this a | pplicati | on is true and correct to the best of my knowledge. | |
| | Mw | u Zona | _ | | |
| | TY OF F | ORIDA PALM BEACH | | | |
| W) | ura | LISKW, who is personally | known to | this 6th day of August, 2018 | |
| (type o | f identifi | cation; i.e., driver's license number, | etc.), and | NOTARY PUBLIC - STATE OF FLORIDA | |
| | (NOT | ARY SEAL) | | Print Name: | |
| | | MY COMMIS | IE HUDAK SION # FF 97 5: July 17, 202 any Public Un | 0 | |
| For | Use by | Public Works Department | | | |
| | CK NO | | _ T | OWN COUNCIL HEARING: | |
| AMO | UNT C | OF CHECK: \$1,000.00 | . D | ATE: RESOLUTION # | |
| RECI | EIVED | BY: 3/10/18 | Ap | proved: Denied: | |

SKETCH & DESCRIPTION 20' SEWER ABANDONMENT

A PORTION OF GOVERNMENT LOT 2 SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, described as follows:

A strip of land being 10.0 feet of each side of the following described centerline.

COMMENCE at the intersection of the north line of the South 200 feet of Government Lot 2, Section 2, Township 44 South, Range 43 East, and the West Right-of-Way line of South Ocean Boulevard; thence N 88°44'04" W, along said north line, 308.39 feet; thence N 00°00'00" W, departing said north line, 11.48 feet to the POINT OF BEGINNING; thence N 00°00'00" W, 138.65 feet to the north line of the South 350 feet of said Government Lot 2 and the POINT OF TERMINATION.

Sidelines of the said description will extend and shorten to be common with the Property line shown hereon.

Said land lying in Palm Beach County, Florida and containing 2773 square feet more or less.

SURVEYOR'S REPORT:

- Reproductions of this Sketch are not valid without the signature and the original raised seal of a
 Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other
 than the signing party is prohibited without written consent of the signing party.
- No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
- 3. The land description shown hereon was prepared by the Surveyor.
- 4. Bearings shown hereon are assumed based on the North line of the South 200' of Government Lot 2, having a bearing of N 88*46'39" W.
- 5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary
- 6. Abbreviation Legend: F.D.O.T. = Florida Department Of Transportation; L.B. = Licensed Business; O.R.B. = Official Records Book; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; R/W = Right-of-Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472,027, Florida Statutes.

Date: 4/5/18

MICHAEL D. AVIROM, P.L.S. Florida Registration No. 3268 AVIROM & ASSOCIATES, INC.

L.B. No. 3300

| REVISIONS | | AVIROM & ASSOCIATES, INC. | JOB #: | 10577-1 AB |
|-------------|------------------|--|----------|------------|
| 11277010110 | 8 ASS | SURVEYING & MAPPING | SCALE | 1" = 30' |
| | SOM TO CIE | 50 S W 2nd AVENUE SUITE 102 | DATE: | 04/05/2018 |
| | | BOCA RATON, FLORIDA 33432 | BY: | S.R.L. |
| | 11 4 | (561) 392-2594 / www AVIROMSURVEY.com | CHECKED: | M.D.A. |
| | SSTAGLISHED 1951 | ©2018 AVIROM & ASSOCIATES INC all lights reserved | F.B | PG |
| | | This sketch is the property of AVIROM & ASSOCIATES INC and should not be reproduced or copied without written commission. | SHEET | 1 OF 2 |

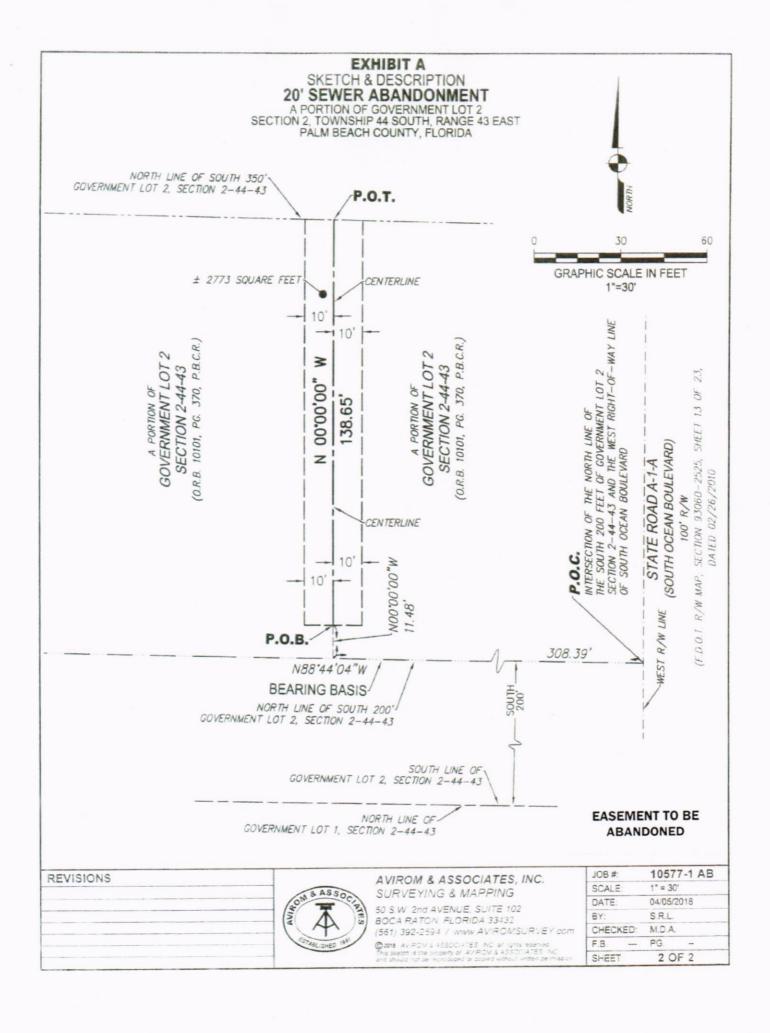


EXHIBIT A SKETCH & DESCRIPTION 5' SEWER EASEMENT

A PORTION OF GOVERNMENT LOT 2 SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, described as follows:

A strip of land being 2.5 feet of each side of the following described centerline.

COMMENCE at the intersection of the north line of the South 200 feet of Government Lot 2, Section 2, Township 44 South, Range 43 East, and the West Right-of-Way line of South Ocean Boulevard; thence N 88'44'04" W, along said north line, 313.39 feet; thence N 00'00'00" W, departing said north line, 12.50 feet to the POINT OF BEGINNING; thence N 88'52'33" W, 66.45 feet; thence N 04'35'05" E, 8.51 feet; thence N 08'12'46" E, 8.47 feet; thence N 05'01'08" W, 85.11 feet; thence N 03'29'00' E, 33.61 feet, to a line 2.5 feet South of and parallel with the north line of the South 350 feet of said Government Lot 2; thence S 88'44'35" E, along said parallel line, 71.67 feet; thence N 00'00'00" W, 2.50 feet to said north line and the POINT OF TERMINATION.

Sidelines of the said description will extend and shorten to be common with the Property line shown hereon.

Said land lying in Palm Beach County, Florida and containing 1,386 square feet more or less.

SURVEYOR'S REPORT:

 Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.

 No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.

3. The land description shown hereon was prepared by the Surveyor.

 Bearings shown hereon are assumed based on the North line of the South 200' of Government Lot 2, having a bearing of N 88*46'39" W.

Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.

6. Abbreviation Legend: L.B. = Licensed Business; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; R/W = Right-of-Way.

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Date: 3 09/18

MICHAEL D. AVIROM, P.L.S.

MICHAEL D. AVIROM, P.L.S. Florida Registration No. 3268 AVIROM & ASSOCIATES, INC. L.B. No. 3300

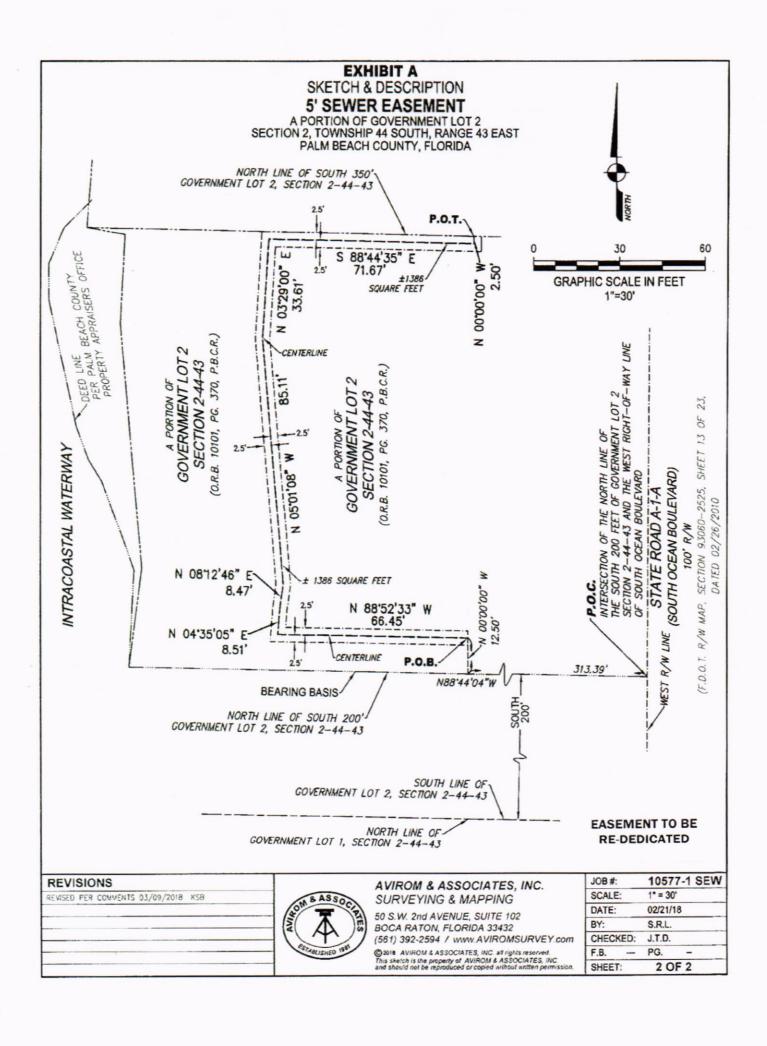
REVISIONS
REWSED PER COMMENTS 03/09/2018 KSB

AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com

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| JOB #: | 10577-1 SEW |
|----------|-------------|
| SCALE: | 1" = 30" |
| DATE: | 02/21/2018 |
| BY: | S.R.L. |
| CHECKED: | J.T.D. |
| F.B | PG |
| SHEET: | 1 OF 2 |



Page 1 of 2

| Buffer: | | |
|--------------------------------|---|---|
| 0434402000020120 | Acres 1.86 Sales instr QC | MTG 2-44-43, N 150 FT OF S 350 FT OF GOV LT 2 |
| RUSS MARTIN D & | Value \$ 14,674,068.00 Price \$10.00 | PUSE VACANT (LESS S OCEAN BLVD R/W) |
| 574 S OCEAN BLVD | Taxbi \$ 14,674,068.00 Date 11/10/1997 | TaxDist 50447 |
| | Bldg \$ 0.00 Book 10101 | |
| ALM BEACH FL 33480 5119 | Land \$ 14,674,068.00 Page 370 | NAV |
| Buffer: 300 | | |
| 0434402000020080 | Acres 1.79 Sales instr WD | MTG 2-44-43, N 150 FT OF S 200 FT OF GOV LOT 2 (LESS SR A1A |
| B PAVILION TRUST | Value \$ 17,934,797.00 Price \$17,425,000.0 | 0 PUSE SINGLE FAMILY R/W) |
| 59 SQUARE VICTORIA | Taxbi \$ 17,934,797.00 Date 6/29/2015 | TaxDist 50447 |
| UITE 520 | Bldg \$ 3,241,431.00 Book 27647 | |
| IONTREAL QUEBEC HZY 237 CANADA | Land \$ 14,693,366.00 Page 325 | NAV |
| 0434402000020090 | Acres 2.35 Sales instr OC | MTG 2-44-43, N 200 FT OF S 550 FT OF GOV LT 2 (LESS |
| RUSS MARTIN D & | Value \$ 29,583,741.00 Price \$10.00 | PUSE SINGLE FAMILY S OCEAN BLVD R/W) |
| 574 S OCEAN BLVD | Taxbl \$ 25.711.183.00 Date 9/12/2016 | TaxDist 50447 |
| 3713 000011 0010 | Bldg \$ 11,192,243.00 Book 28574 | |
| ALM BEACH FL 33480 5119 | Land \$ 18,391,498.00 Page 1769 | NAV |
| 0434402000020110 | Acres 0.62 Sales instr QC | MTG 2-44-43,S 50 FT OF GOV LOT 2 (LESS SR A1A R/W) |
| INETY 9798 CANADA INC | Value \$ 4,897,788.00 Price \$658,000.00 | PUSE VACANT |
| 59 SQUARE VICTORIA STE # 520 | Taxbl \$ 4,621,990.00 Date 12/1/1980 | TaxOist 50447 |
| NONTREAL QUEBEC | Bidg \$ 0.00 Book 03618 | |
| IZY 237 CANADA | Land \$ 4,897,788.00 Page 1481 | NAV |
| 0434402030000030 | Acres 0.44 Sales instr WD | MTG LAGOMAR PARK 1 LT 3 & LAGOMAR PARK 2 PB24P44 |
| NAPP GARY B | Value \$ 5,430,763.00 Price \$1,375,000.00 | PUSE SINGLE FAMILY LT 3-A |
| 568 S OCEAN BLVD | Taxbl \$ 5,380,763.00 Date 3/1/1997 1 | TaxDist 50447 |
| 300 3 00001 0010 | Bldg \$ 812,741.00 Book 09704 | |
| ALM BEACH FL 33480 5119 | Land \$ 4,618,022.00 Page 1130 | NAV |

7/31/2018

| 0434402030000040 | Acres 0.92 | Sales instr WD | MTG | LAGOMAR PARK NO 1 |
|---------------------------------------|-----------------------|--------------------------|--------------------|--|
| AYLOR BRUCE M | Value \$ 11,796,897.0 | 0 Price \$12,500,000.00 | PUSE SINGLE FAMILY | LTS 4 THRU 6 |
| LAGOMAR RD | Taxbl \$ 11,704,906.0 | 0 Date 6/29/2016 | TaxDist 50447 | |
| | Bldg \$ 2,796,897.00 | Book 28417 | | |
| PALM BEACH FL 33480 5101 | Land \$ 9,000,000.00 | Page 147 | NAV | |
| 0434402040000040 | Acres 0.03 | Sales instr WD | MTG | LAGOMAR PARK 2 LT 4-A |
| TAYLOR BRUCE M TRUST | Value \$ 2,357.00 | Price \$12,500,000.00 | PUSE VACANT | |
| LAGOMAR RD | Taxbl \$ 2,357.00 | Date 6/29/2016 | TaxDist 50447 | |
| | Bldg \$ 0.00 | Book 28417 | | |
| PALM BEACH FL 33480 5101 | Land \$ 2,357.00 | Page 147 | NAV | |
| 50434402040000050 | Acres 0.03 | Sales instr WD | MTG | LAGOMAR PARK 2 LT 5-A |
| TAYLOR BRUCE M TRUST | Value \$ 2,357.00 | Price \$12,500,000.00 | PUSE VACANT | |
| LAGOMAR RD | Taxbi \$ 2,357.00 | Date 6/29/2016 | TaxDist 50447 | |
| | Bldg \$ 0.00 | Book 28417 | | |
| PALM BEACH FL 33480 5101 | Land \$ 2,357.00 | Page 147 | NAV | |
| 50434411000010010 | Acres 1.88 | Sales instr WD | MTG | 11-44-43, S 150 FT N 200 FT OF GOV LOT 1 (LESS SR A1 |
| AND TRUST SERVICE CORPORATION TRUSTEE | Value 5 18,367,295.0 | 00 Price \$22,430,000.00 | PUSE SINGLE FAMILY | R/W) |
| O BOX 186 | Taxbi \$ 7,037,557.00 | | TaxDist 50447 | |
| 0 001 100 | Bldg \$ 2,004,168.00 | | | |
| AKE WALES FL 33859 0186 | Land \$ 16,363,127.0 | 00 Page 680 | NAV | |
| 50434411000010080 | Acres 0.61 | Sales instr QC | MTG | 11-44-43, N 50 FT OF GOV LOT 1 (LESS SR A1A R/W) |
| NINETY 9798 CANADA INC | Value \$ 4,897,788.0 | Price \$658,000.00 | PUSE VACANT | |
| 759 SQUARE VICTORIA STE # 520 | Taxbi \$ 4,049,744.0 | Date 12/1/1980 | TaxDist 50447 | |
| MONTREAL QUEBEC | Bldg \$ 0.00 | Book 03618 | | |
| HZY 2J7 CANADA | Land \$ 4,897,788.0 | D Page 1481 | NAV | |

KOCHMAN & ZISKA PLC

Ronald S. Kochman* Maura A. Ziska

*Also admitted in New York

Esperanté 222 Lakeview Avenue, Suite 1500 West Palm Beach, Florida 33401

Telephone: (561) 802-8960 Facsimile: (561) 802-8995

August 1, 2018

Town of Palm Beach
Public Works Department
Attention: Patricia Strayer, Town Engineer
951 Old Okeechobee Boulevard, Suite A
West Palm Beach, FL 33401

Re: Easement Abandonment 1576 South Ocean Blvd., Palm Beach, Florida

Dear Ms. Strayer:

The property owner is planning to further develop the subject property with improvements that could possibly traverse the existing sewer easement that runs north-south across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new sewer easement to be dedicated to accommodate your utility, if required.

The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than August 10, 2018.

Thank you for your assistance with is matter.

Sincerely

Maura Zie

Town of Palm Beach Water Resource Division has no objection to the abandonment of the easement of 1576 South Ocean Boulevard, Palm Beach site as illustrated in on the attached sketch.

Date 8-6-2018

00038946