

# **TOWN OF PALM BEACH**

Information for Town Council Meeting on: December 8, 2020

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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 Existing Public Utility Easement – Phase 2  
North Utility Undergrounding Project Limits  
**Resolution No. 129-2020**

DATE: October 15, 2020

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## **STAFF RECOMMENDATION**

Town staff recommends that Town Council approve Resolution No. 129-2020 authorizing the vacating and abandonment of existing public utility easements as described in the provided attachments associated with Phase 2 North Utility Undergrounding, which is located from Onondaga Avenue to Osceola Way.

## **GENERAL INFORMATION**

On September 10, 2019 Town Council directed Town staff to perform the easement abandonment process for properties that provided easements and no longer had existing utilities in rear easements. Phase 2 North has been completed. Staff recommends approval of the abandonment of the easements as shown in the attachments.

In accordance with Town Code of Ordinances, Chapter 106, Article IV, staff has prepared an application to abandon the public utility easement affected by the utility conversion. The easements to be abandoned are shown as Exhibits A through S, Sketch and Legal Description of the proposed Resolution for each property.

Information packages were sent to the 19 affected property owners and also the 139 neighboring property owners within 300 feet of the easement to be abandoned via certified mail on November 20, 2020. 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 individual property owners. Therefore, a privilege fee is not applicable.

### **FUNDING/FISCAL IMPACT**

Funding for the abandonment application processing and recording fees is being funded through the Town-wide Utility Undergrounding Project.

### **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 (PZB)