

# **TOWN OF PALM BEACH**

Information for Town Council Meeting on: December 14, 2021

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TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

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

RE: Authorization to Abandon an Existing Public Utility Easement Located at  
369 S. Lake Drive  
**Resolution No. 158-2021**

DATE: November 22, 2021

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## **STAFF RECOMMENDATION**

Town staff recommends that Town Council approve Resolution No. 158-2021 authorizing the abandonment of an existing public utility easement located at 369 S. Lake Drive. 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 369 South Lake Drive. The easement to be abandoned is shown as Exhibit A, Sketch and Legal Description of the proposed Resolution. An application fee of \$1,200 was received with the application for abandonment to cover direct costs and processing by the Town.

The applicant recently applied for a building permit to construct a generator building within the existing easement. New public utility easements have been provided in place of the public utility easement to be abandoned. All existing utilities within portions of the easements proposed to be abandoned have been rerouted. All utilities have been contacted and have agreed to the abandonment as described.

Information packages were sent to the 44 property owners effected and 144 neighboring property owners within 300 feet of the easement to be abandoned via certified mail on November 29, 2021. 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.

## **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