

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 8, 2023

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
South Utility Undergrounding Project Limits
Resolution No. 093-2023

DATE: July 14, 2023

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 093-2023 authorizing the vacating and abandonment of existing public utility easements as described in the provided attachments associated with Phase 2 South Utility Undergrounding, which is located from Sloan's Curve north to the intersection of South County Road and South Ocean Boulevard.

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 South 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 I, which includes Sketch and Legal description of each property and the associated Resolution.

Information letters were sent to the 9 affected property owners and also the 82 neighboring property owners within 300 feet of the easement to be abandoned via certified mail on July 18, 2023. 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.

cc: Jason DeBrincat, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer, Planning, Zoning & Building