

Agenda Item # R - 3

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 23-016, AND APPROVAL OF RESOLUTION 23-13 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING AN EASEMENT ABANDONMENT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 (US 441). BY APPLICANT: URBAN DESIGN STUDIO.

Issue:

The Applicant is requesting Village Council to abandon an access easement recorded at Deed Book 1024 Page 23, for a property located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (US 441). This is an access easement for roadway purposes which was granted over a 30-foot wide strip of land known as "Acme Road". An illustration of this access easement can be found in **Attachment A**.

Recommended Action:

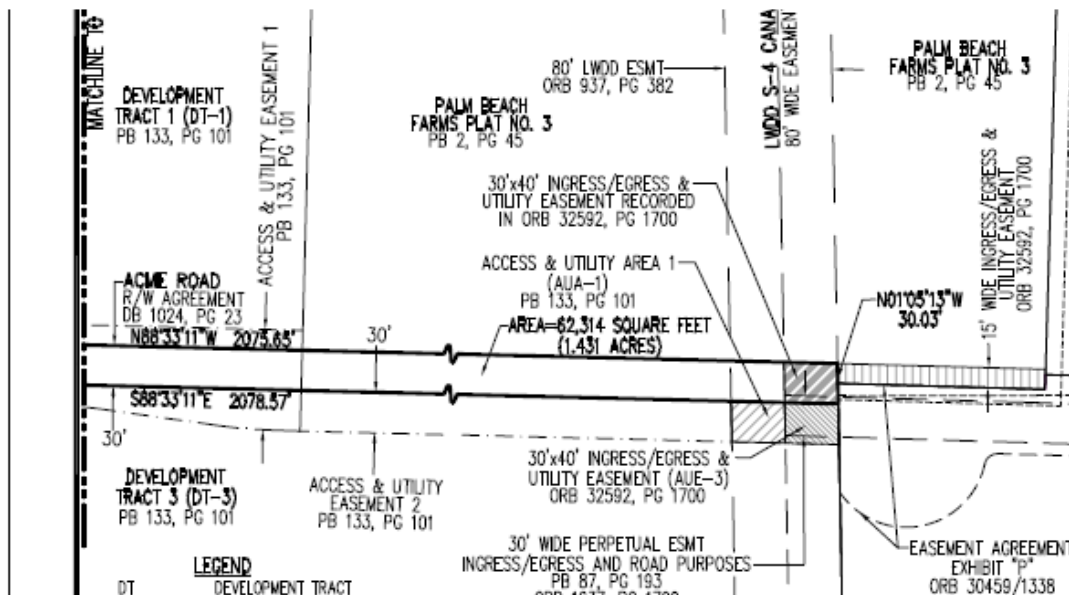
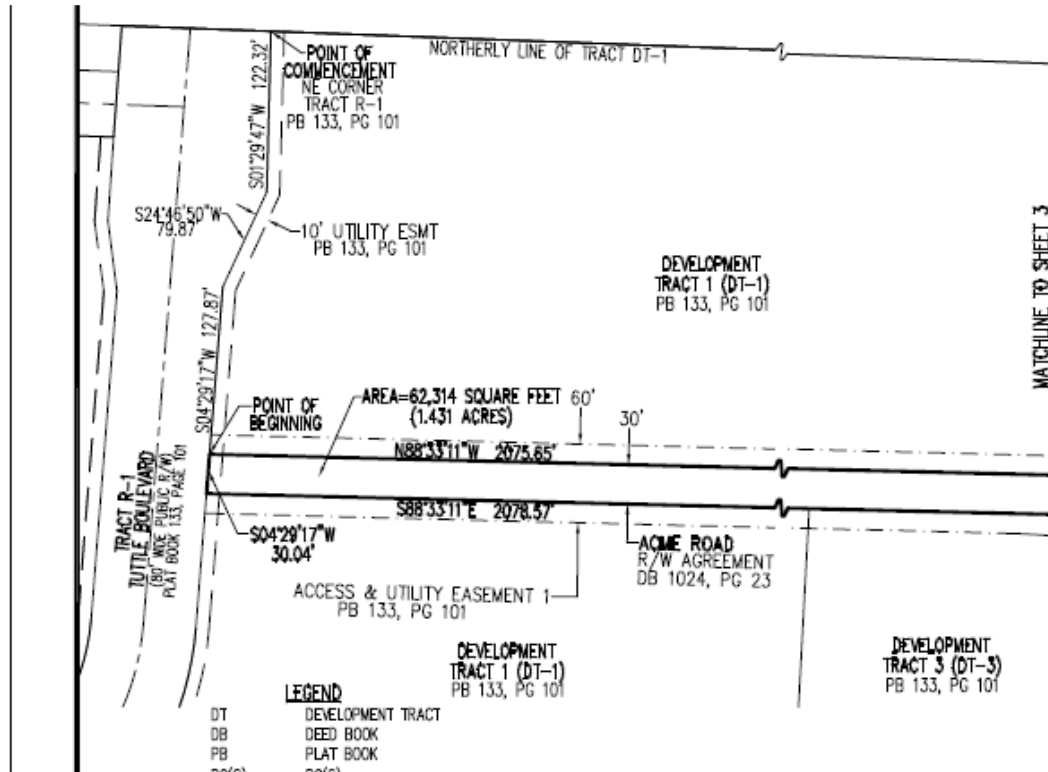
Staff is recommending approval of Application 23-016 and Resolution 23-13.

Initiator:	Village Manager	Agenda Date	Village Council
P & Z Administrator	Approval	4-20-2023	Action

P:\Southern Blvd Properties (Tuttle Royale)\23-016(EASE) Tuttle Royale II Acme Rd\Board Documents\AIS & Staff Report\Agenda Item Summary\23-016 (EASE) Tuttle Royale II Acme Road.doc

Attachment A Easement to be Abandoned

Directly below is an illustration showing the location of the easement to be abandoned.



Initiator: Village Manager Agenda Date Village Council

P & Z Administrator Approval 4-20-2023 Action

P:\Southern Blvd Properties (Tuttle Royale)\23-016(EASE) Tuttle Royale II Acme Rd\Board Documents\AIS & Staff Report\Agenda Item Summary\23-016 (EASE) Tuttle Royale II Acme Road.doc

Record & Return To:
Village Clerk Diane DiSanto
Village of Royal Palm Beach
1050 Royal Palm Beach Boulevard
Royal Palm Beach, Florida 33411

RESOLUTION NO. 23-13

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, ABANDONING AND RELEASING THE THIRTY (30) FOOT WIDE STRIP OF LAND KNOWN AS ACME ROAD DEDICATED TO THE PUBLIC PURSUANT TO THAT CERTAIN RIGHT-OF-WAY AGREEMENT RECORDED IN DEED BOOK 1024 PAGE 23 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village of Royal Palm Beach has an interest in the thirty (30) foot easement dedicated to the public pursuant to that certain Right-Of-Way Agreement recorded in Deed Book 1024, Page 23, in the Public Records of Palm Beach County, Florida; and

WHEREAS, the Village has requested to abandon and release its interests in the foregoing described easement, more fully described and depicted in Exhibit “A” attached hereto and incorporated herein; and

WHEREAS, the Village Council hereby finds that the easement is no longer needed by the Village for its public purposes; and

WHEREAS, the Village Council hereby finds that the abandonment and release of the easement is in the best interests of the citizens of the Village of Royal Palm Beach, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: The Village’s and public’s interest in the 30 foot easement is hereby abandoned and released.

Section 2: This Resolution shall be recorded in the Public Records of Palm Beach County, Florida.

Section 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 20th day of April, 2023.

VILLAGE OF ROYAL PALM BEACH

FRED PINTO, MAYOR

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

RESOLUTION NO. 23-13

**EXHIBIT A
EASEMENT ABANDONMENT
LEGAL DESCRIPTION**

LEGAL DESCRIPTION:

A 30 FOOT WIDE STRIP OF LAND BEING A PORTION OF ACME ROAD (30' RIGHT-OF-WAY AGREEMENT) AS RECORDED IN DEED BOOK 1024, PAGE 23 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHEAST CORNER OF TRACT R-1 (TUTTLE BOULEVARD) AS RECORDED ON THE PLAT OF TUTTLE ROYALE AS RECORDED IN PLAT BOOK 133, PAGE 101 OF SAID PUBLIC RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID TRACT R-1 THE FOLLOWING THREE (3) COURSES; S01°29'47"W A DISTANCE OF 122.32 FEET; THENCE S24°46'50"W A DISTANCE OF 79.87 FEET; THENCE S04°29'17"W A DISTANCE OF 127.87 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE ALONG SAID EASTERLY LINE S04°29'17"W A DISTANCE OF 30.04 FEET; THENCE LEAVING SAID EASTERLY LINE, S88°33'11"E A DISTANCE OF 2078.57 FEET; THENCE N01°05'13"W A DISTANCE OF 30.03 FEET; THENCE N88°33'11"W A DISTANCE OF 2075.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 62,314 SQUARE FEET (1.431 ACRES) MORE OR LESS.