



# City of Delray Beach

100 N.W. 1st Avenue  
Delray Beach, FL 33444

## Legislation Text

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**File #:** 18-432, **Version:** 1

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**TO:** Mayor and Commissioners  
**FROM:** Patrick Figurella, City Engineer - Development Services Engineering  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** August 21, 2018

### ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 344 PALM TRAIL.

#### **Recommended Action:**

Motion to Approve and accept a five-foot sidewalk easement on NE 4<sup>th</sup> St. and a 10-foot sidewalk easement on Palm Trail located at 344 Palm Trail.

#### **Background:**

Consider acceptance of sidewalk easements:

- 5' NE 4<sup>th</sup> St.
- 10' on Palm Trail

On March 20, 2018, the owner, Ressa Family Trust (Leo A. Ressa Jr.), submitted building permit #18-174949 to construct a new single family residence located at 344 Palm Trail. This property is located in the south west corner of Palm Trail and NE 4<sup>th</sup> St.

The roadway, NE 4<sup>th</sup> St. associated with this project is a local street without curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on NE 4<sup>th</sup> St., per the survey, five feet would be required from this property.

The roadway, Palm Trail associated with this project is a local street without curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 40 feet on Palm Trail, per the survey, 10 feet would be required from this property.

There is no City cost now or in the future for this item.

Attachments provided:

- 1) Perpetual Sidewalk Easement Agreement for 344 Palm Trail
- 2) "Exhibit A" Sketch and Legal Description
- 3) Survey 344 Palm Trail
- 4) PAPA Map Location 344 Palm Trail

5) PAPA Page 344 Palm Trail

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

There are no financial impacts as a result of the acceptance of this easement.

**Timing of Request:**

The timing of this request is of high importance in order to process the residence C/O when completed.