



CITY OF DELRAY BEACH

DEPARTMENT OF PUBLIC WORKS

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TO: Rebekah Dasari, Principal Planner
Alexis Rosenberg, Senior Planner

FROM: Patrick A. Figurella, P.E., City Engineer

ISSUE DATE: January 25, 2023

RE: Abandonment of Water Easement – 4575 West Linton Boulevard
TAC ID-994

Pursuant to Land Development Regulation (LDR) Section 2.4.6 (N) (3) (c) a recommendation of the City Engineer to the City Commission is required for abandonments of easements. The recommendation of the City Engineer is to approve the request for abandonment of a portion of the Water Distribution Easement created by Plat Book (P.B) 99, Page 197 located on 4575 West Linton Boulevard based on the following analysis:

1. Upon receipt of an abandonment request the following procedure must be followed:
 - *Certification that the submittal is complete and accurate.* The submittal is complete and accurate.
 - *Distribution of the application and survey to all utilities who may have facilities within the easement or adjacent to it.* The application and survey were distributed to the City of Delray Beach Utility Department (Utilities) as required and the Utilities reported that they did not have any issues with the abandonment.
 - *Upon receipt of all review comments, the application with the recommendation of the City Engineer shall be forwarded to the City Commission for action.* The application and this recommendation will be brought to the City Commission.
 - *If approved, the abandonment shall be consummated through the recordation of the enacting resolution.*

2. The City Commission is required per LDR Section 2.4.6 (N) (5) to make the following finding to grant an abandonment:
 - *That the abandonment will not result in detriment to the provision of utility services to adjacent properties or the general area.* The provision of utility services will not be impacted by the abandonment of this access easement because of the relocation of the utilities contained within it

3. If the City Commission makes the finding that is required to grant the abandonment request, conditions may be imposed upon the abandonment. Per LDR Section 2.4.6 (N) (4) (b): *Require replacement easements and/or relocation of existing utilities, as may be appropriate.* The applicant has submitted a replacement easement and relocated the utilities to the new easement location.

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