

PLANNING AND ZONING BOARD

CITY OF DELRAY BEACH

--- STAFF REPORT---

MEETING DATE: May 19, 2014

ITEM: V.A.

Abandonment of a portion of SW 2nd Avenue road right-of-way that was dedicated by the plats of Nichols First Addition to Delray Beach, Florida (PB 21, Page 69) and Nichols Second Additional to Delray Beach, Florida (PB 21, Page 70), which were recorded on March 5, 1947. The area to be abandoned is 50 feet wide by approximately 141 feet deep.

GENERAL DATA:

Applicant..... Beverley Forbes

Property Owners Adjacent to road Being Abandoned..... Beverley Forbes (West)
Alcadio Rincon (East)

Agent..... Carl James

Location..... SW 2nd Avenue, south of SW 7th Street.

Property Size..... 0.1674 acres (7,294 sq. ft.)

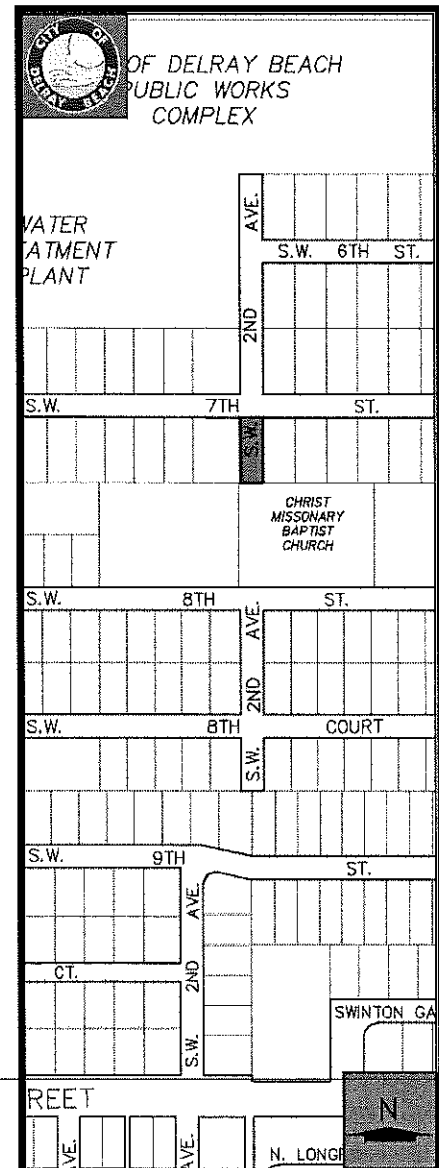
Future Land Use Map..... LD (Low Density 0-5 du/acre)

Current Zoning..... R-1-A (Single Family Residential)

Adjacent Zoning.....North: CF (Community Facilities)
East: R-1-A (Single Family Residential)
South: CF (Community Facilities)
West: R-1-A (Single Family Residential)

Existing Land Use..... Unimproved road right-of-way

Proposed Land Use..... Abandoned area will be incorporated within adjacent single family lots.



ITEM BEFORE THE BOARD

The item before the Board is that of making a recommendation to the City Commission on the proposed abandonment of a portion of the SW 2nd Avenue road right-of-way located south of SW 7th Street.

This right-of-way abandonment is being processed pursuant to LDR Section 2.4.6(M), Abandonment of Rights-of-Way.

BACKGROUND

This portion of the SW 2nd Avenue road right-of-way was dedicated by the plats of Nichols First Addition to Delray Beach, Florida (PB 21, Page 69) and Nichols Second Addition to Delray Beach, Florida (PB 21, Page 70), which were recorded on March 5, 1947. The area to be abandoned is 50 feet wide by approximately 141 feet deep.

While the right-of-way contains existing utilities, it is unpaved, so it does not provide access to the adjacent properties. To accommodate existing utilities in the right-of-way, a general utility easement will be retained over the southern 5' of the abandonment area and a utility easement will be dedicated to the City by a separate Easement Deed to accommodate an existing water main located on the western side of the right-of-way.

ABANDONMENT ANALYSIS

Pursuant to LDR Section 2.4.6(M)(1), public right-of-way may be abandoned (returned) to the fee description of adjacent property to the same degree in which it was originally obtained (i.e. property dedicated exclusively from a single parcel shall be returned to that parcel; property dedicated through subdivision shall be divided at the center line and returned equally to abutting parcels.)

As previously stated, the subject road right-of way was dedicated by two plats with the dividing line located at the centerline of the right-of-way. The owners of the adjacent properties (Lot 9, Nichols First Addition to Delray Beach, Florida and Lot 18, Nichols Second Addition to Delray Beach, Florida are each entitled to 25 feet of the abandoned area.

The City's Environmental Services Department (ESD) has reviewed the request and has no issues with the abandonment provided utility easements are retained or dedicated to accommodate existing utilities. A utility easement will be dedicated by Easement Deed to accommodate an existing water main located on the western side of the road right-of-way. The utility companies, Florida Public Utilities, AT&T, Comcast and FP&L, have been notified and have no objection to the abandonment provided an easement is retained over the southern five feet of the abandonment area. With this easement, the provision of utilities will not be affected.

REQUIRED FINDINGS

Pursuant to LDR Section 2.4.6(M)(5), prior to any right-of-way abandonment being approved, the following findings must be made:

A) That there is not, nor will there be a need for the use of the right-of-way for any public purpose.

The unimproved road right-of-way does not provide access to the adjacent properties east and west of the abandonment area which front directly on SW 7th Street. Likewise, Christ Missionary Baptist Church, located immediately south of the abandonment area, takes access

from SW 8th Street and does not need the proposed abandonment area for access. Since existing utilities will be accommodated in the retained or replacement easements, there will be no further public purpose for the existing right-of-way. Therefore, a positive finding can be made.

B) That the abandonment does not, nor will not, prevent access to a lot of record.

As stated above, the unimproved road right-of-way does not provide access to the adjacent properties which front directly on SW 7th Street or SW 8th Street. Therefore, a positive finding can be made.

C) That the abandonment will not result in detriment to the provision of access and/or utility services to adjacent properties or the general area.

The existing road right-of-way is unpaved and does not provide access to the adjacent properties. Existing utilities will be accommodated in the retained or replacement easements. Therefore, the abandonment will not result in detriment to the provision of access or utility services to adjacent properties of the general area, and a positive finding can be made.

REVIEW BY OTHERS

Courtesy Notices:

Courtesy notices have been provided to the following groups and neighborhood associations:

- Delray Citizen's Coalition

Public Notice:

Formal public notice has been provided to property owners within a 500' radius of the subject property and notice was published in a local newspaper on May 8, 2014. The Planning Department has not received any letters of opposition to the abandonment. Future letters of objection or support, if any, will be provided at the Planning and Zoning Board meeting.

ASSESSMENT

The existing unpaved road right-of-way does not provide access to the adjacent properties. A general utility easement will be retained over the southern 5 foot portion of the abandonment area to accommodate existing utilities and a new utility easement will be established to accommodate an existing water line. Based on these factors, there is no further public purpose for the existing right-of-way. Therefore, a positive finding can be made with respect to LDR Section 2.4.6(M)(5) and the request can be supported.

ALTERNATIVE ACTIONS

1. Continue with direction.
2. Move a recommendation of approval of the request for the abandonment of a portion of the road right-of-way for SW 2nd Avenue located south of SW 7th Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations.

3. Move a recommendation of denial of the request for the abandonment of a portion of the road right-of-way for SW 2nd Avenue located south of SW 7th Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is not consistent with the Comprehensive Plan and that the required findings of LDR Section 2.4.6(M)(5) cannot be made.

RECOMMENDED ACTION

Move a recommendation of approval of the request for the abandonment of a portion of the road right-of-way for SW 2nd Avenue located south of SW 7th Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations.

Attachments:

- Location Map
- Aerial Photo
- Street View Photo
- Proposed Resolution No. 25-14
- Sketch and Legal Description of Abandonment Area
- Nichols First Addition to Delray Beach, Florida Plat
- Nichols Second Addition to Delray Beach, Florida Plat

CITY OF DELRAY BEACH
PUBLIC WORKS
COMPLEX

WATER
TREATMENT
PLANT

S.W. 6TH ST.

AVE.

2ND

S.W. 7TH ST.

4TH

CHRIST
MISSIONARY
BAPTIST
CHURCH

S.W. 8TH ST.

S.W.

AVE.

2ND

S.W. 8TH COURT



N
PLANNING AND ZONING
DEPARTMENT

RIGHT-OF-WAY
ABANDONMENT



SW 2ND AVENUE

PORTION OF RIGHT-OF-WAY ABANDONMENT



Gary R. Nikolic, CFA
Property Appraiser
Palm Beach County

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[PAPA Home](#)

Search

[Search Results: Detail](#)

[View Property Record](#)

Owners

FORBES BEVERLEY &
FORBES EDWARD L

Property detail

Location 206 SW 7TH ST
Municipality DELRAY BEACH
Parcel No. 1243462000000130
Subdivision NICHOLS 2ND ADD TO DELRAY IN
Book 21090 Page 402
Sale Date OCT-2006
206 SW 7TH ST
Mailing Address DELRAY BEACH FL 33444 3547
Use Type 0100 - SINGLE FAMILY
Total Square Feet 1474

Sales Information

Sales Date	Price
OCT-2006	280000
OCT-2000	77500
FEB-1988	100
MAR-1977	31900

Appraisals

Tax Year	2013
Improvement Value	\$55,767
Land Value	\$26,936
Total Market Value	\$82,703

All values are as of January 1st each year

[Tools](#)

[Layers](#)

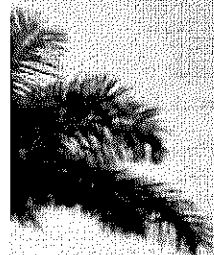
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199 SW 7th St, Delray Beach, Florida, United States
Address is approximate



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100%

RESOLUTION NO. 25-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF THE SW 2ND AVENUE ROAD RIGHT-OF-WAY, AS MORE PARTICULARLY DESCRIBED HEREIN, BUT RESERVING AND RETAINING TO THE CITY A GENERAL UTILITY EASEMENT FOR PUBLIC AND PRIVATE UTILITIES OVER A PORTION OF THE ABANDONMENT AREA, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A REVERTER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Delray Beach, Florida received an application for the abandonment of a portion of the existing 50' road right-of-way for SW 2nd Avenue as set forth on the plats for Nichols First Addition to Delray Beach, Florida (PB 21, Page 69) and Nichols Second Addition to Delray Beach, Florida (PB 21, Page 70), being more fully described in the sketch and legal description attached hereto as Exhibit "A"; and

WHEREAS, the application for abandonment of said road right-of-way was processed pursuant to Section 2.4.6(M), "Abandonment of Rights-of-Way", of the Land Development Regulations of the City of Delray Beach, Florida; and

WHEREAS, pursuant to LDR Section 2.4.6(M)(3)(e), the Planning and Zoning Board, as Local Planning Agency, formally reviewed the matter at a public hearing on May 19, 2014, and voted ___ to ___ to recommend approval of the abandonment, based upon positive findings with respect to LDR Section 2.4.6(M)(5), subject to the condition that a general utility easement be retained over the southern 5 feet of the abandonment area; and a utility easement be dedicated by separate instrument over an existing water line located on the western side of the road right-of-way.

WHEREAS, pursuant to LDR Section 2.4.6(M), the application was forwarded to the City Commission with the recommendation that the abandonment be approved, based upon positive findings; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, finds that it to be in the best interest of the City of Delray Beach to vacate and abandon said road right of way, based upon positive findings pursuant to LDR Section 2.4.6(M)(5), but does not abandon and retains and reserves unto itself a general utility easement over the southern 5 feet of the abandonment area for the purpose of emergency access and constructing and/or maintaining, either over or under the surface, poles, wires, pipes, sewers, drainage facilities, or any other facilities used for various public utilities whether owned by the City or private corporations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA:

Section 1. That the foregoing recitals are hereby incorporated herein by this reference.

Section 2. That pursuant to Chapter 177.101(5) and Chapter 166 of the Florida Statutes, it is hereby determined by the City of Delray Beach Commission to vacate and abandon all rights and interests it holds to the real property described in Exhibit "A" except as provided for in Section 3 of this Resolution.

Section 3. The City of Delray Beach Commission does not abandon and retains and reserves unto itself a general utility easement for the purpose of emergency access and constructing and/or maintaining, either over or under the surface, poles, wires, pipes, sewers, drainage facilities, or any other facilities used for various public utilities whether owned by the City or private corporations, over the southern 5 feet of the abandonment area, more particularly described in Exhibit "B".

Section 4. The abandonment shall not be effective until both this Resolution and a Utility Easement Deed over the existing water line have been recorded in the Public Records of Palm Beach County, Florida.

PASSED AND ADOPTED in regular session on this the _____ day of _____, 2014.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"

SPECIFIC PURPOSE SURVEY

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

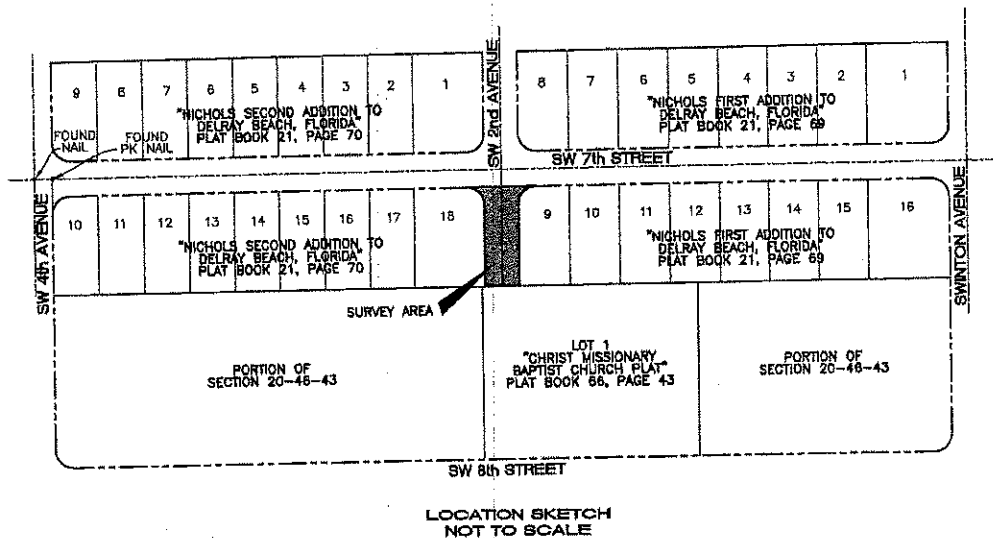
E-MAIL: surveys@pulicelandsurveyors.com • CERTIFICATE OF AUTHORIZATION #LB387

LEGAL DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY FOR S.W. 2ND AVENUE AS DEDICATED BY "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 69, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 70, OF SAID PUBLIC RECORDS BOUND AS FOLLOWS:

ON THE EAST BY THE WESTERLY BOUNDARY OF LOT 9 OF SAID "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA"; ON THE SOUTH BY THE SOUTHERLY PLAT LIMITS OF SAID OF "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA" AND CONTINUING ON THE SOUTHERLY PLAT LIMITS OF "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA", SAID LINE ALSO BEING THE NORTH LINE OF LOT 1 OF "CHRIST MISSIONARY BAPTIST CHURCH PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 66, PAGE 43, OF SAID PUBLIC RECORDS; ON THE WEST BY THE EASTERLY BOUNDARY OF LOT 18 OF SAID "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA", AND BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 18, "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA" AND THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 9, "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA", SAID LINE BEING THE SOUTH RIGHT-OF-WAY LINE OF S.W. 7TH STREET AS DEPICTED ON SAID PLATS.

SAID LANDS SITUATE, LYING AND BEING IN DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 7,294 SQUARE FEET, 0.1674 ACRES.



NOTES:

- 1) THIS SITE LIES IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.
- 2) THIS SURVEY IS CERTIFIED EXCLUSIVELY TO: CARL JAMES
- 3) THE HORIZONTAL POSITIONAL ACCURACY OF WELL DEFINED IMPROVEMENTS ON THIS SURVEY IS $\pm 0.2'$.
- 4) THE PURPOSE OF THIS SURVEY IS TO SHOW IMPROVEMENTS IN THE RIGHT-OF-WAY TO BE VACATED.
- 5) BEARINGS ARE BASED ON THE CENTERLINE OF SW 2nd AVENUE, BEING $N00^{\circ}04'17''W$.

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

FILE: JAMES, CARL

SCALE: 1"=30'

DRAWN: L.S.

ORDER NO: 57504A

SURVEY DATE: 4/17/14

SW 2nd AVENUE

DELRAY BEACH, FLORIDA

FOR: CARL JAMES

CERTIFICATION

I hereby certify: That this sketch of survey meets the minimum technical standards set forth by the Florida Department of Agriculture and Consumer Services ("DOACS") Number 51-17, Florida administrative code, pursuant to Chapter 472.027, Florida statutes. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

Beth Burns

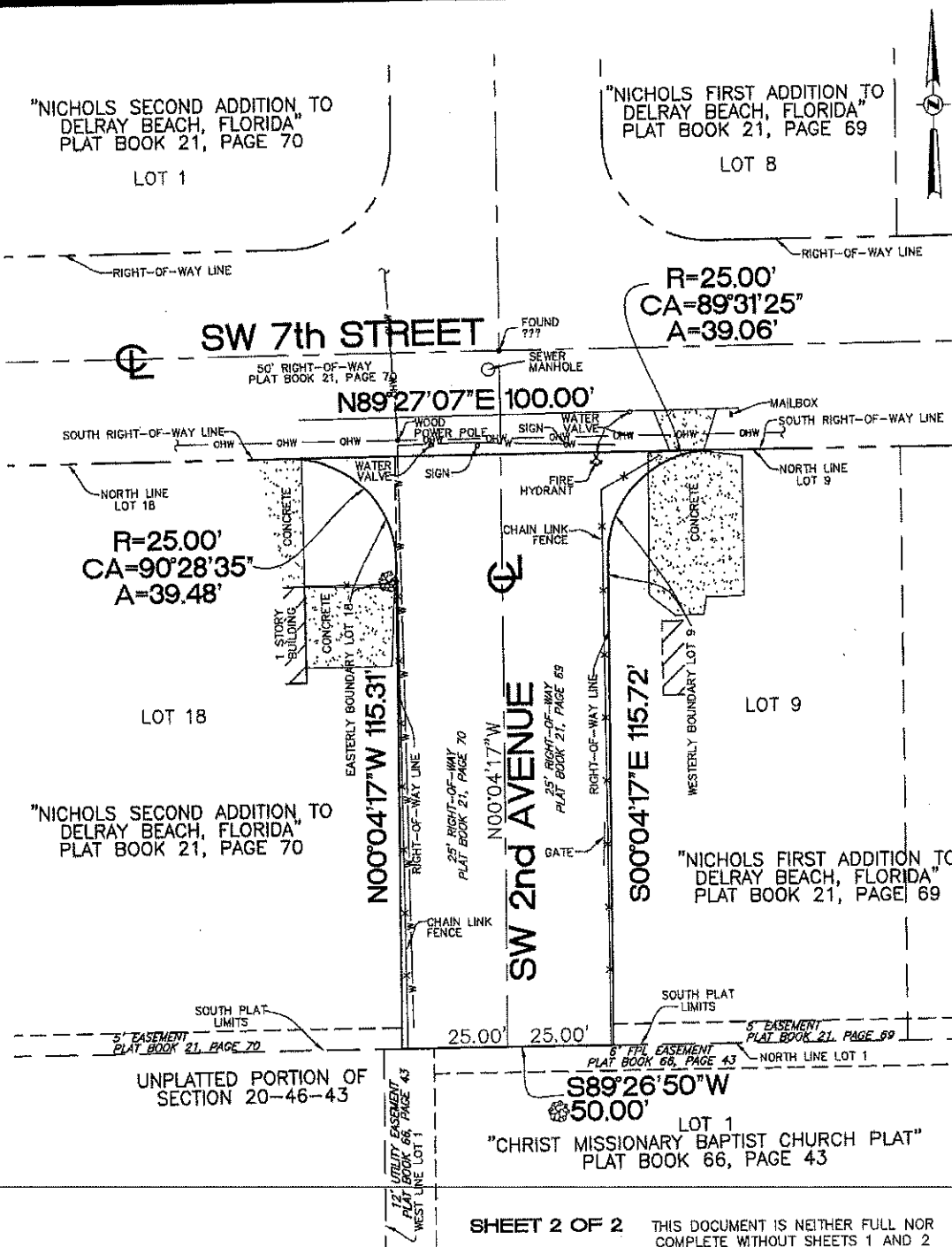
JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
STATE OF FLORIDA



BOUNDARY SURVEY
BY
PULICE LAND SURVEYORS, INC.

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SUNRISE, FLORIDA 33351

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SHEET 2 OF 2

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COMPLETE WITHOUT SHEETS 1 AND 2

FILE: JAMES, CARL

SCALE: 1"=30'

DRAWN: L.S.

ORDER NO.: 57504A

SURVEY DATE: 4/17/14

SW 2nd AVENUE

DELRAY BEACH, FLORIDA

FOR: CARL JAMES

LEGEND:



CONCRETE
ASPHALT PAVEMENT
ELEVATION
CENTERLINE

EXHIBIT "B"



SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351



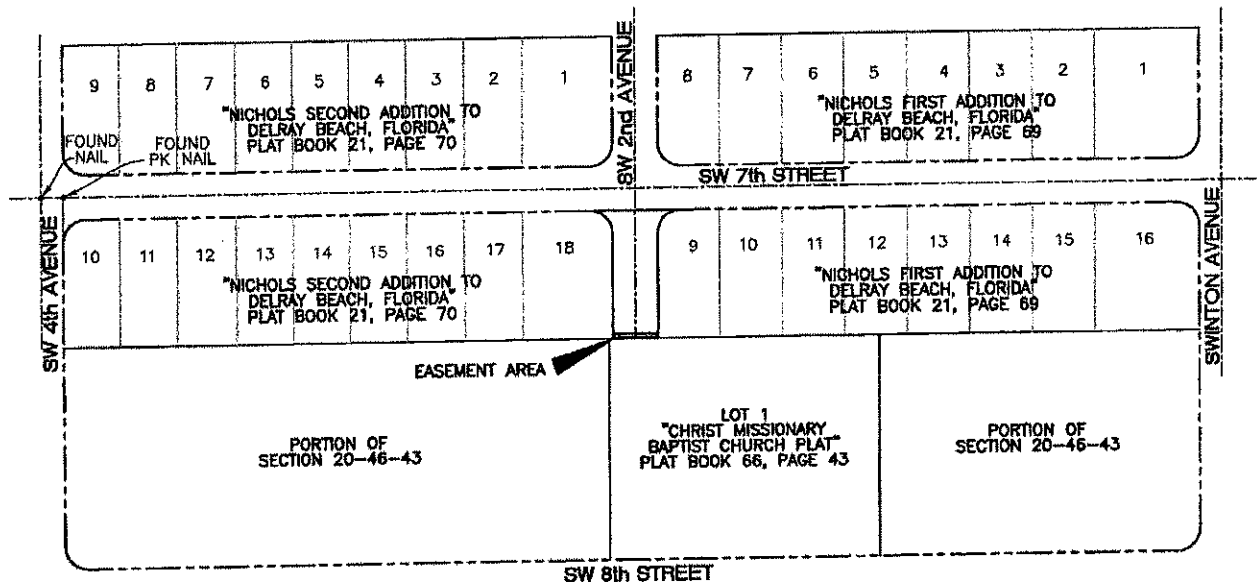
TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

LEGAL DESCRIPTION:

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BEGINNING AT THE SOUTHEAST CORNER OF LOT 18 OF SAID "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA", THENCE NORTH 00°04'17" WEST ALONG THE EAST LINE OF SAID LOT 18, ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SW 2nd AVENUE FOR 5.00 FEET; THENCE NORTH 89°26'50" EAST 50.00 FEET TO A POINT ON THE WEST LINE OF LOT 9 OF SAID "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA"; THENCE SOUTH 00°04'17" EAST ALONG SAID WEST LINE, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SW 2nd AVENUE FOR 5.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE SOUTH 89°26'50" WEST ALONG THE NORTH LINE OF LOT 1 OF "CHRIST MISSIONARY BAPTIST CHURCH PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 66, PAGE 43, OF SAID PUBLIC RECORDS FOR 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 250 SQUARE FEET.



LOCATION MAP
1"=200'

NOTES:

- 1) BEARINGS ARE BASED ON THE CENTERLINE OF SW 2ND AVENUE BEING N00°04'17"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FILE: JAMES, CARL

SCALE: 1"=200'

DRAWN: L.S.

ORDER NO: 57504B

DATE: 4/18/14

5' UTILITY EASEMENT

DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

FOR: CARL JAMES

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

☒ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
☐ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
STATE OF FLORIDA

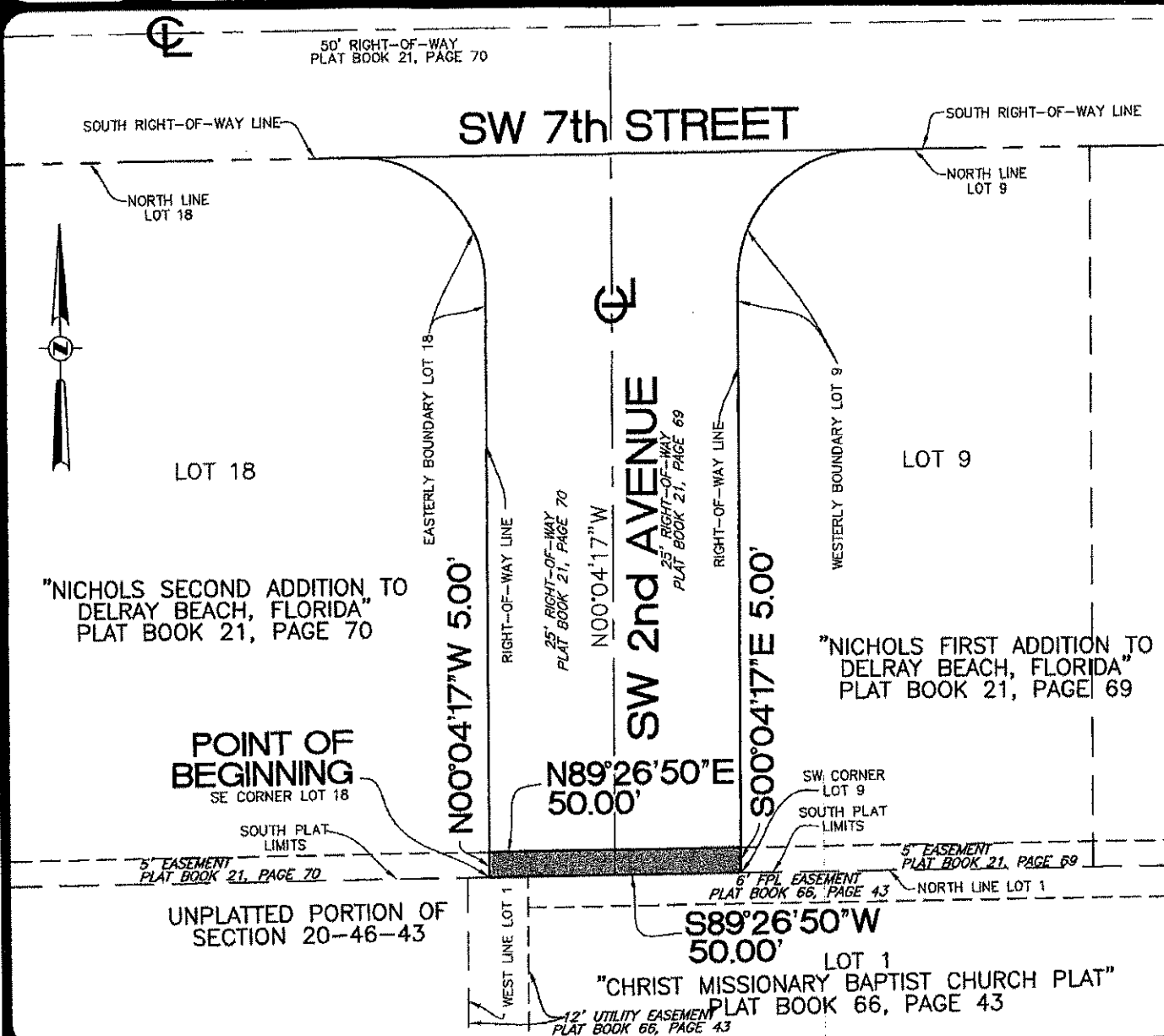


SKETCH AND LEGAL DESCRIPTION

BY
PULICE LAND SURVEYORS, INC.5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



FILE: JAMES, CARL

SCALE: 1"=50'

DRAWN: L.S.

ORDER NO: 57504B

DATE: 4/18/14

5' UTILITY EASEMENT

DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

FOR: CARL JAMES

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR
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LEGEND:



CENTERLINE

O.R.B.

OFFICIAL RECORDS BOOK

EXHIBIT "A"



SPECIFIC PURPOSE SURVEY
BY
PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
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TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
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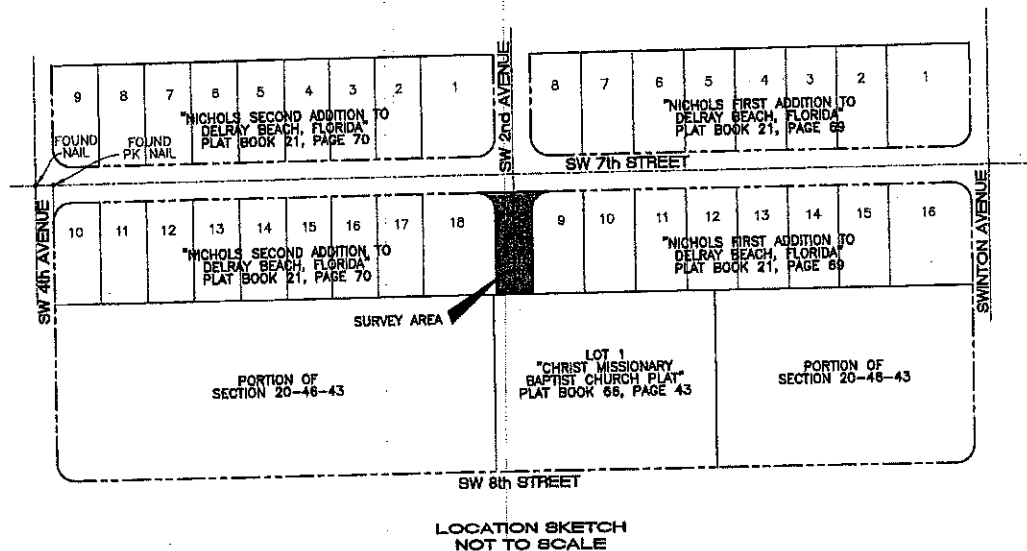


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SAID LANDS SITUATE, LYING AND BEING IN DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 7,294 SQUARE FEET, 0.1674 ACRES.



NOTES:

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SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

FILE: JAMES, CARL

SCALE: 1"=30'

DRAWN: L.S.

ORDER NO.: 57504A

SURVEY DATE: 4/17/14

SW 2nd AVENUE

DELRAY BEACH, FLORIDA

FOR: CARL JAMES

CERTIFICATION

I hereby certify: That this sketch of survey meets the minimum technical standards set forth by the Florida Department of Agriculture and Consumer Services ("DOACS") Number 5J-17, Florida administrative code, pursuant to Chapter 472.027, Florida statutes. Not valid without the signature and the original raised seal of a florida licensed surveyor and mapper.

Beth Burns

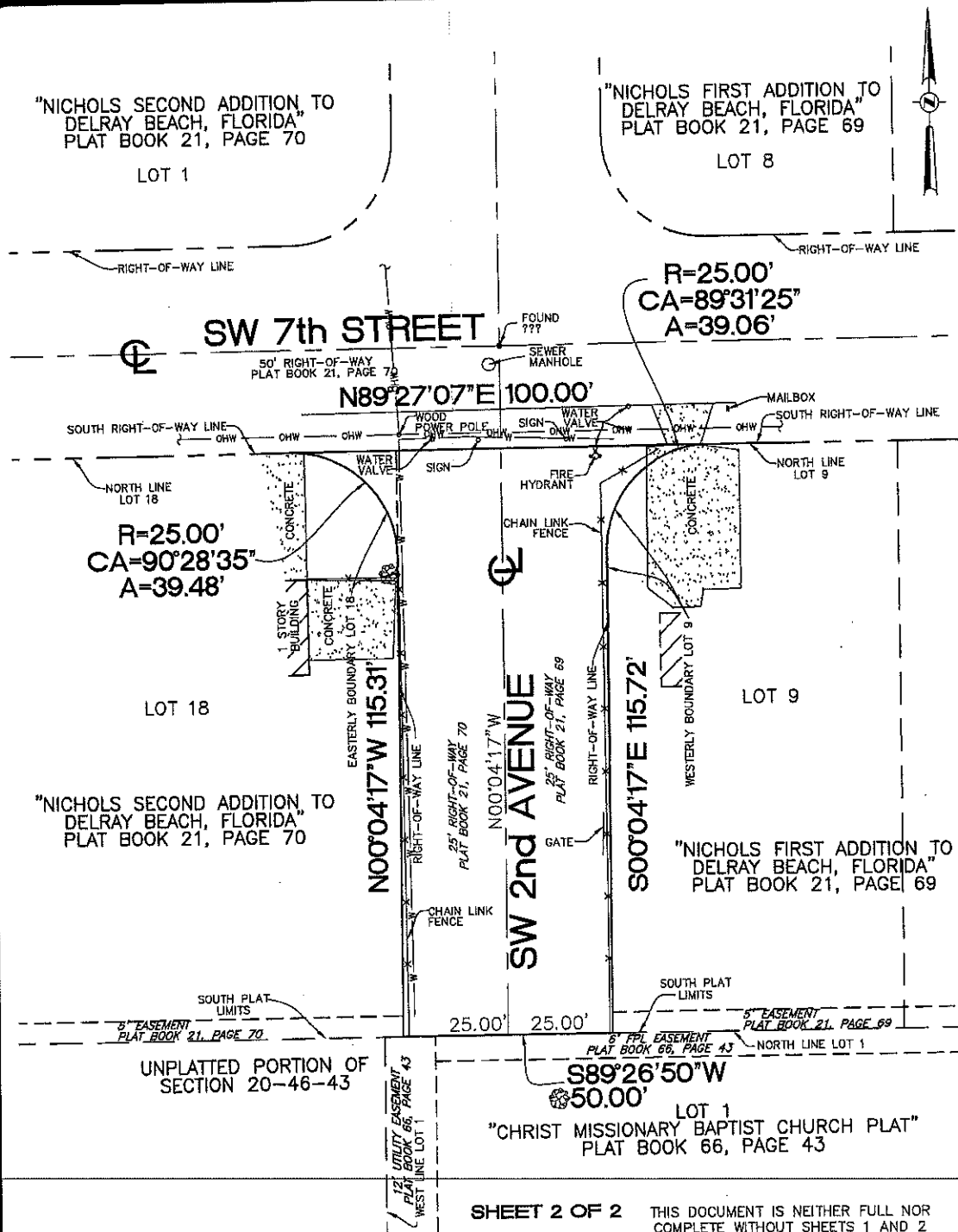
JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
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STATE OF FLORIDA



BOUNDARY SURVEY
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com • CERTIFICATE OF AUTHORIZATION #LB3876



SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR
COMPLETE WITHOUT SHEETS 1 AND 2

FILE: JAMES, CARL

SCALE: 1"=30'

DRAWN: L.S.

ORDER NO.: 57504A

SURVEY DATE: 4/17/14

SW 2nd AVENUE

DELRAY BEACH, FLORIDA

FOR: CARL JAMES

LEGEND:



CONCRETE
ASPHALT PAVEMENT
ELEVATION
CENTERLINE

EXHIBIT "B"



SKETCH AND LEGAL DESCRIPTION BY **PULICE LAND SURVEYORS, INC.** 5381 NOB HILL ROAD SUNRISE, FLORIDA 33351



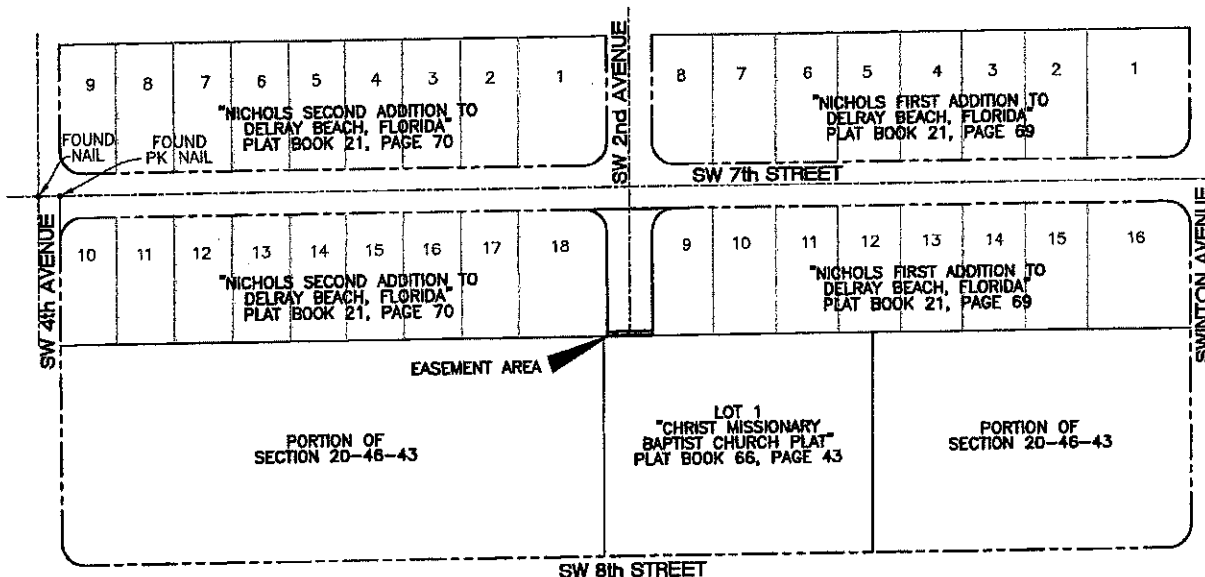
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LEGAL DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY FOR SW 2nd AVENUE AS DEDICATED BY "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 69, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 70, OF SAID PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 18 OF SAID "NICHOLS SECOND ADDITION TO DELRAY BEACH, FLORIDA", THENCE NORTH 00°04'17" WEST ALONG THE EAST LINE OF SAID LOT 18, ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SW 2nd AVENUE FOR 5.00 FEET; THENCE NORTH 89°26'50" EAST 50.00 FEET TO A POINT ON THE WEST LINE OF LOT 9 OF SAID "NICHOLS FIRST ADDITION TO DELRAY BEACH, FLORIDA"; THENCE SOUTH 00°04'17" EAST ALONG SAID WEST LINE, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SW 2nd AVENUE FOR 5.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE SOUTH 89°26'50" WEST ALONG THE NORTH LINE OF LOT 1 OF "CHRIST MISSIONARY BAPTIST CHURCH PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 66, PAGE 43, OF SAID PUBLIC RECORDS FOR 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 250 SQUARE FEET.



LOCATION MAP
1"=200'

NOTES:

- 1) BEARINGS ARE BASED ON THE CENTERLINE OF SW 2ND AVENUE BEING N00°04'17"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

FILE: JAMES, CARL

SCALE: 1"=200'

DRAWN: L.S.

ORDER NO: 57504B

DATE: 4/18/14

5' UTILITY EASEMENT

DELRAY BEACH, PALM BEACH COUNTY, FLORIDA

FOR: CARL JAMES

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

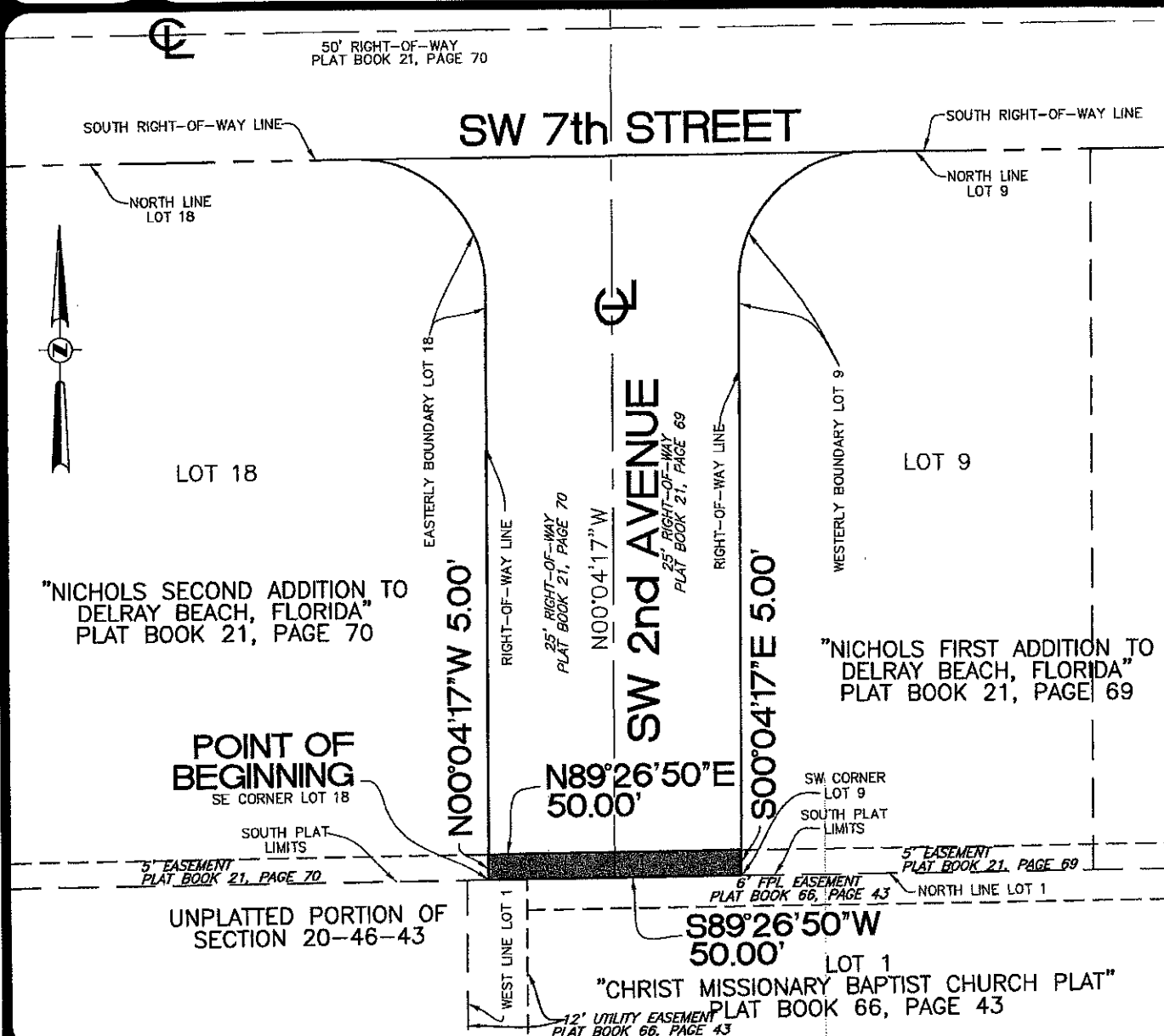
JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
STATE OF FLORIDA



PULICE LAND SURVEYORS, INC.

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



FOR: CARL JAMES

THIS DOCUMENT IS NEITHER FULL NOR
COMPLETE WITHOUT SHEETS 1 AND 2

Ⓒ

O.R.B.

OFFICIAL RECORDS BOOK

69

APPROVED DEC. 27 1946

CITY OF DELRAY BEACH, FLA.

By Paul B. Smith
City Clerk

APPROVED NOV 3 1946

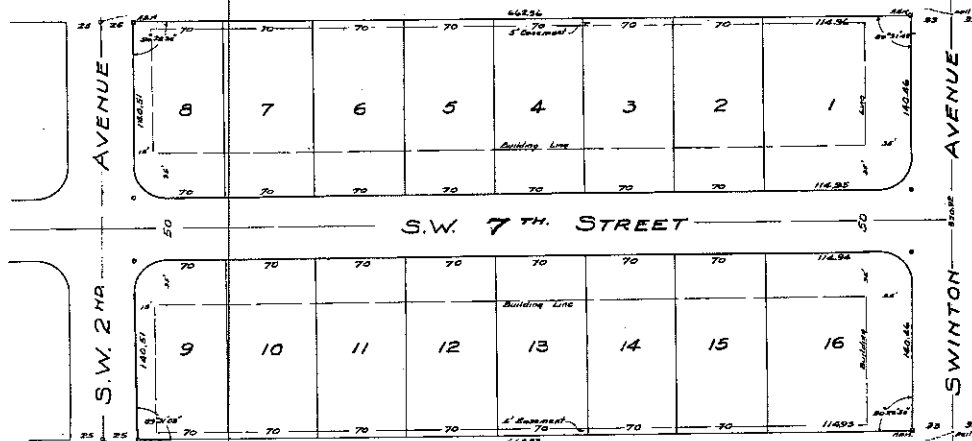
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

By J. M. B. Smith
County Engineer

STATE OF FLORIDA
COUNTY OF PALM BEACH
This plat was filed for record on 9/28/46.
This is the 5th day of OCTOBER
1946, and duly recorded in Plat Book No.
11493 on page 69.
J. ALAN ADAMSON, Clerk Circuit Court
By My Commission Expires D. C.

NICHOLS FIRST ADDITION
TO
DELRAY BEACH, FLORIDA
A RESUB. OF E $\frac{1}{2}$ OF S $\frac{1}{2}$ OF LOT 10. SEC. 20. T.46 S. R.43 E.
AS IN PLAT BOOK I, PAGE 4, PALM BEACH COUNTY, FLORIDA
SCALE 1 INCH = 50 FEET
OCTOBER 1946

H.C. FUGATE SURVEYOR



NOTE: - IRON PILES ARE SHOWN
CONCRETE MONUMENTS ARE SHOWN
ALL CORNER RADII ARE 25'

DEDICATION.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
KNOW ALL MEN BY THESE PRESENTS, That E. C. NICHOLS and
MAURISTIA NICHOLS, his wife, owners of a Parcel of land described as the E $\frac{1}{2}$ of S $\frac{1}{2}$ of
Lot 10, Section 20, Township 46 South, Range 43 East, as shown on a plat of same recent-
ed in Plat Book I, Page 4, in the office of the Clerk of the Circuit Court of Palm Beach County,
Florida, have caused the same to be subdivided and platted as shown hereon and have
by dedicate to the perpetual use of the public as public highways the Avenues and Streets
as shown.
IN WITNESS WHEREOF, They have hereunto set their hands and
seals, this 4th day of Nov. A.D. 1946.
E. C. Nichols (Seal) MAURISTIA NICHOLS (Seal)
R. A. Platter Witness

ACKNOWLEDGEMENT.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That on this day, before me as official duly
authorized to administer oaths and take acknowledgments, personally appeared
E. C. NICHOLS and MAURISTIA NICHOLS, his wife, to me well known and known by
me to be the persons described in and who executed the foregoing Dedication,
and they acknowledged before me that they executed the same freely and voluntarily
for the purpose therein expressed, and I FURTHER CERTIFY, That the said MAURISTIA
NICHOLS, the wife of E. C. NICHOLS, on a separate and private acknowledgment, made before
me, did acknowledge that she executed said Dedication, for the purpose of reserving
all her right, title and interest, whether of dower, homestead or of separate property, she
may or equitably in and to the highways dedicated, and that she executed the same
freely and voluntarily, without compulsion, constraint, apprehension or fear of or from
her said husband.
IN WITNESS, my hand and official seal of West Palm Beach, Fla.,
this 4th day of Nov. A.D. 1946.
R. A. Platter
My Commission Expires: Nov. 15, 1950 Notary Public.

SURVEYOR'S CERTIFICATE.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That the plat shown hereon is a true
and correct representation of a survey of the property described in the foregoing
Dedication, made under my direction, and is accurate to the best of my knowl-
edge and belief, and that permanent reference monuments have been set as
required by law.
H. C. Fugate
Registered Land Surveyor
Florida Certificate No. 132.
SUBSCRIBED and sworn to before me this 27th day of Feb. AD 1947
Kathleen E. Sherrin
My Commission Expires: Nov. 15, 1950 Notary Public.

DEDICATION.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
KNOW ALL MEN BY THESE PRESENTS, That E.B. NICHOLS and his wife MAURETHA NICHOLS, owners of the tract of land described as the W $\frac{1}{2}$ of S $\frac{1}{2}$ of LOT 10, Section 20, Township 46 South, Range 43 East, as shown on a plat of same recorded in Plat Book 1, Page 4, in the office of the Clerk of the Circuit Court of Palm Beach County, Florida, have caused the same to be subdivided and plotted as shown hereon, and hereby dedicate to the perpetual use of the public as public highways the Avenues and Street as shown.
IN WITNESS WHEREOF, They have hereunto set their hands and seals, this 24th day of Feb. A.D. 1947.
E.B. Nichols Witness. E.B. Nichols (Seal)
Mauretha Nichols Witness. Mauretha Nichols (Seal)

ACKNOWLEDGEMENT.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared, E.B. NICHOLS and MAURETHA NICHOLS, his wife, to me well known and known by me to be the persons described in and who executed the foregoing DEDICATION, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed, and I further certify, That the said MAURETHA NICHOLS, the wife of said E.B. NICHOLS, as a separate and private person, made by and before me, did acknowledge that she executed same for the purpose of relinquishing all her right, title and interest, whether of dower, homestead, or of separate property, statutory or equitable, in and to the highways dedicated, and that she executed the same freely and voluntarily, without compulsion, constraint, apprehension or fear of or from her said husband.
Witness my hand and official seal of said Palm Beach, Florida, this 24th day of Feb. A.D. 1947.
My Commission Expires: March 10, 1947. R.H. Peltier Notary Public.

SURVEYOR'S CERTIFICATE.

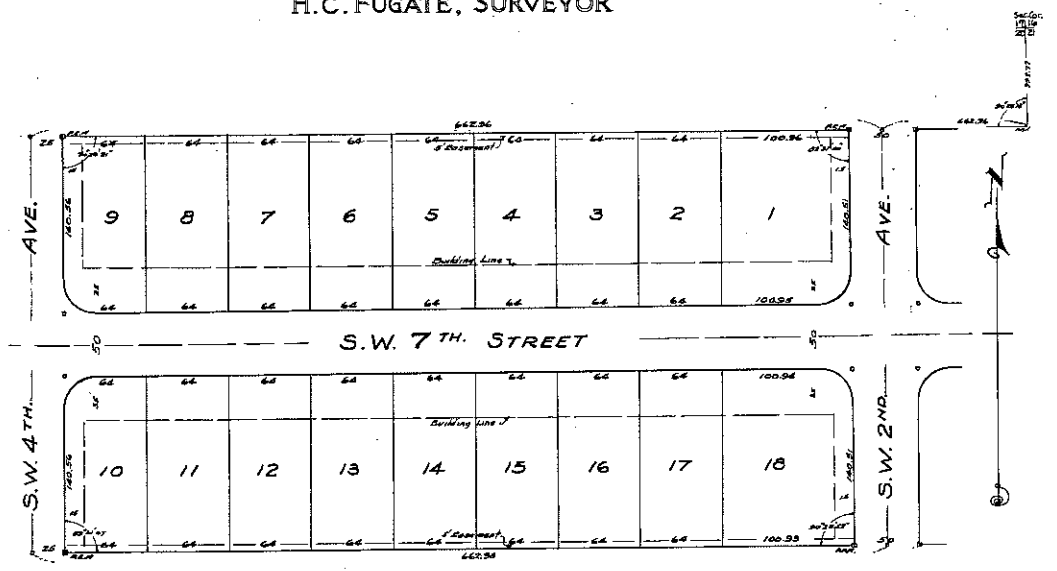
STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That the plat shown hereon is a true and correct representation of a survey of the property described in the foregoing DEDICATION, made under my direction, and is accurate to the best of my knowledge and belief and that permanent reference monuments have been set as required by law.
H.C. Fugate
Registered Land Surveyor.
Florida Certificate No. 132.
SUBSCRIBED AND SHOWN to before me this 24th day of Feb. A.D. 1947.
Kathleen E. Sherrin
Notary Public.
My Commission Expires Nov. 15, 1950.

APPROVED Feb. 11, 1947
CITY OF DELRAY BEACH, FLA.
By Paul R. Smith
City Clerk.
APPROVED MAR 3 1947
BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA
By J.H. Boyd
County Engineer.

70

NICHOLS SECOND ADDITION
TO
DELRAY BEACH, FLORIDA
A RESUB. OF W $\frac{1}{2}$ OF S $\frac{1}{2}$ OF LOT 10. SEC. 20. T.46S. R.43E.
AS IN PLAT BOOK 1, PAGE 4, PALM BEACH COUNTY, FLORIDA
SCALE 1 INCH = 50 FEET
OCTOBER 1946.

H.C. FUGATE, SURVEYOR



69

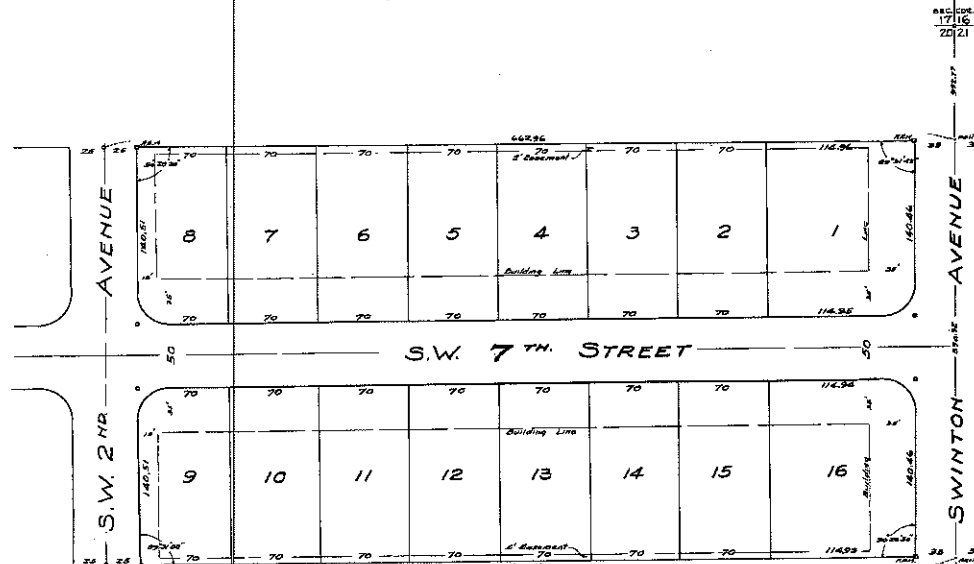
APPROVED Dec. 17 1946
CITY OF DELRAY BEACH, FLA.
By Paul B. Smith
City Clerk.

APPROVED Nov 3 1946
BOARD OF COUNTY COMMISSIONERS,
PALM BEACH COUNTY, FLORIDA.
By J. B. Boyd
County Engineer.

STATE OF FLORIDA
COUNTY OF PALM BEACH
This plat was filed for record on Nov 3 1946 at 11:00 A.M.
this 3 day of NOVEMBER
1946, and duly recorded in Plat Book No.
69 on page 69.
J. ALAN ARNOLD, Clerk Circuit Court
By May 1946 D. C.

NICHOLS FIRST ADDITION
TO
DELRAY BEACH, FLORIDA
A RESUB. OF E $\frac{1}{2}$ OF S $\frac{1}{2}$ OF LOT 10. SEC. 20. T.46 S. R.43 E.
AS IN PLAT BOOK 1, PAGE 4, PALM BEACH COUNTY, FLORIDA
SCALE 1 INCH = 50 FEET
OCTOBER 1946

H.C. FUGATE SURVEYOR



NOTE: 1/4 INCH PLANS ARE SHOWN
CONCRETE MONUMENTS ARE SHOWN
ALL CORNER RADIUS ARE 25'

DEDICATION.

STATE OF FLORIDA
COUNTY OF PALM BEACH } ss.
KNOW ALL MEN BY THESE PRESENTS, That E.B. NICHOLS and
MAURINE NICHOLS, his wife, owners of a Part of land described as the E $\frac{1}{2}$ of S $\frac{1}{2}$
of LOT 10, Section 20, Township 46 South, Range 43 East, as shown on a plat of same record-
ed in Plat Book 1, Page 4, in the office of the Clerk of the Circuit Court of Palm Beach County,
Florida, have caused the same to be subdivided and plotted as shown hereon and here-
by dedicate to the perpetual use of the public as public highways the Avenues and Streets
as shown.
IN WITNESS WHEREOF, They have hereunto set their hands and
seals, this 4 day of Nov A.D. 1946.
E.B. Nichols (Seal) Witness: R.A. Nichols
Maurine Nichols (Seal) Witness: R.A. Nichols

ACKNOWLEDGEMENT.

STATE OF FLORIDA
COUNTY OF PALM BEACH } ss.
I HEREBY CERTIFY, That on this day, before me as an officer duly
authorized to administer oaths and take acknowledgments, personally appeared
E.B. NICHOLS and MAURINE NICHOLS, his wife, to me well known and known by
me to be the persons described in and who executed the foregoing DEDICATION,
and they acknowledged before me that they executed the same freely and voluntarily
for the purpose therein expressed, and I FURTHER CERTIFY, That the said MAURINE
NICHOLS, the wife of E.B. NICHOLS, on a separate and private communication, made to me
before me, did acknowledge that she executed said DEDICATION, for the purpose of conveying
all her right, title and interest, whether of dower, homestead or of separate property, set-
tled or equitable, in and to the highways dedicated, and that she executed the same
freely and voluntarily, without compulsion, constraint, apprehension or fear of or from
her said husband.
IN WITNESS, my hand and official seal of West Palm Beach, Fla.,
this 4 day of Nov A.D. 1946.
My Commission Expires May 11, 1948 H. B. B. B. B.
Notary Public.

SURVEYOR'S CERTIFICATE.

STATE OF FLORIDA
COUNTY OF PALM BEACH } ss.
I HEREBY CERTIFY, That the plat shown hereon is a true
and correct representation of a survey of the property described in the foregoing
DEDICATION, made under my direction, and is accurate to the best of my know-
ledge and belief, and that permanent reference monuments have been set as
required by law.
H.C. Fugate
Registered Land Surveyor,
Florida Certificate No. 132.
SUBSCRIBED and sworn to before me this 27 day of Nov A.D. 1946.
Kathleen J. Sharn
My Commission Expires Nov. 15 - 1950 Notary Public.

DEDICATION.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
KNOW ALL MEN BY THESE PRESENTS, That E.B. NICHOLS and his wife MAURISTIA NICHOLS, owners of the tract of land described on the 1/2 of S 1/2 of LOT 10, Section 20, Township 46 South, Range 45 East, as shown on a plat of some record in Palm Beach County, in the office of the Clerk of the Circuit Court of Palm Beach County, Florida, have caused the same to be subdivided and plotted as shown herein, and hereby dedicate to the perpetual use of the public as public highways the Avenues and Street as shown.

IN WITNESS WHEREOF, They have hereunto set their hands and seals, this 24th day of Feb. A.D. 1947.
E.B. Nichols (Seal) Witness,
Kathleen E. Nichols (Seal) Witness,
Mauristia Nichols (Seal)

ACKNOWLEDGEMENT.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared, E.B. NICHOLS and MAURISTIA NICHOLS, his wife, to me well known and known by me to be the persons described in and who executed the foregoing DEDICATION, and they acknowledged before me that they executed the same freely and voluntarily for the purpose therein expressed, and I further certify, That the said MAURISTIA NICHOLS, the wife of said E.B. NICHOLS, on a separate and private examination, made by me before me, did acknowledge that she executed same for the purpose of recognizing all her right, title and interest, whatever of dower, homestead, or of separate property, that may be equitable, in and to the highway dedicated, and that she executed the same freely and voluntarily, without compulsion, constraint, apprehension or fear of or from her said husband.
Witness my hand and official seal of Palm Beach County, Florida, this 24th day of Feb. A.D. 1947.
My Commission Expires March 15, 1947
R.H.P. Phillips Notary Public.

SURVEYORS CERTIFICATE.

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That the plat shown hereto is a true and correct representation of a survey of the property described in the foregoing DEDICATION, made under my direction, and is accurate to the best of my knowledge and belief and that permanent reference monuments have been set as required by law.
Helo Fugate
Registered Land Surveyor,
Florida Certificate No. 125.
SUBSCRIBED AND SWORN to before me this 24th day of Feb. A.D. 1947.
Kathleen E. Sherrin
Notary Public.
My Commission Expires Nov. 15, 1950

APPROVED FEB. 16, 1947

CITY OF DELRAY BEACH, FLA.
By R.H. Smith
City Clerk.

APPROVED MAR. 3, 1947

BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA
By J.H. Smith
County Engineer.

70

STATE OF FLORIDA } ss.
COUNTY OF PALM BEACH }
I HEREBY CERTIFY, That the plat shown hereto is a true and correct representation of a survey of the property described in the foregoing DEDICATION, made under my direction, and is accurate to the best of my knowledge and belief and that permanent reference monuments have been set as required by law.
J. H. Smith, Notary Public.
My Commission Expires Nov. 15, 1950

NICHOLS SECOND ADDITION

TO DELRAY BEACH, FLORIDA

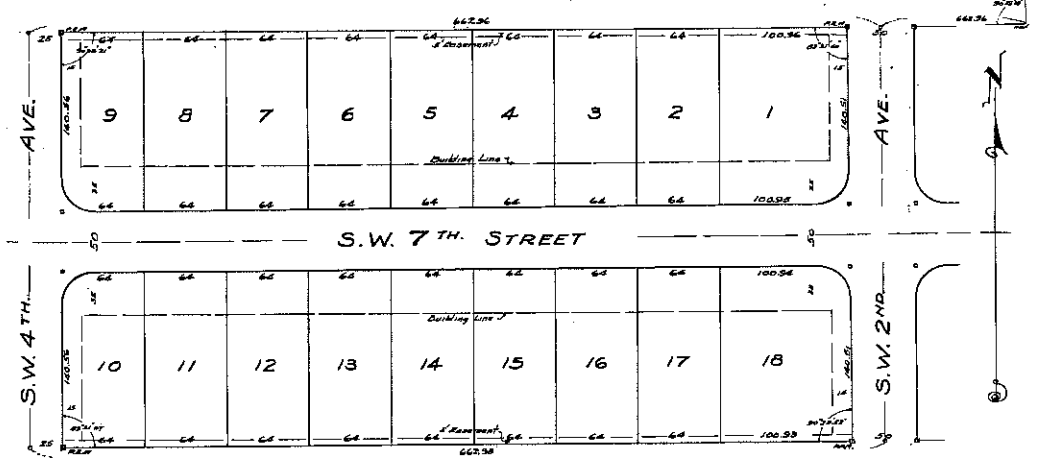
A RESUB. OF W 1/2 OF S 1/2 OF LOT 10. SEC. 20. T.46S. R.43E.

AS IN PLAT BOOK I, PAGE 4, PALM BEACH COUNTY, FLORIDA

SCALE 1 INCH = 50 FEET

OCTOBER 1946.

H.C. FUGATE, SURVEYOR



NOTE: - IRON PIPES ARE SHOWN
CONCRETE MONUMENTS ARE SHOWN
ALL CORNERS RASH ARE 20'