



## Cover Memorandum/Staff Report

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**File #:** 19-871

**Agenda Date:** 11/5/2019

**Item #:** 6.I.

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Assistant Public Works Director  
**THROUGH:** Suzanne Fisher, Assistant City Manager  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** November 5, 2019

ITEMS (A-M) - ACCEPTANCE OF PERPETUAL SIDEWALK EASEMENTS  
AND EASEMENT AGREEMENT FOR MULTIPLE PROPERTIES

**Recommended Action:**

**Item A**

(A) Motion to approve and accept 5' of sidewalk easement on 237 NW 5<sup>th</sup> Ave.

**Item B**

(B) Motion to approve and accept 5' of sidewalk easement on 233 SW 14<sup>th</sup> Ave.

**Item C**

(C) Motion to approve and accept 5' of sidewalk easement on 229 SW 14<sup>th</sup> Ave.

**Item D**

(D) Motion to approve and accept 5' of sidewalk easement on 1121 Miami Blvd.

**Item F**

(F) Motion to approve and accept 5' of sidewalk easement on 1110 Waterway Lane.

**Item G**

(G) Motion to approve and accept 5' of sidewalk easement on 303 NW 18<sup>th</sup> St.

**Item H**

(H) Motion to approve and accept 5' of sidewalk easement on 901 Allamanda Dr.

**Item I**

(I) Motion to approve and accept 5' of sidewalk easement on 12 NW 18<sup>th</sup> St.

**Item J**

(J) Motion to approve and accept 5' of sidewalk easement on 315 NW 16<sup>th</sup> St.

**Item K**

(K) Motion to approve and accept 5' of sidewalk easement on 1126 Waterway Ln.

**Item L**

(L) Motion to approve and accept 5' of sidewalk easement on 941 Seagate Dr.

**Item M**

(M) Motion to approved and accept 10' Utility easement located at 509 Curlew Rd.

**Background:****Item A**

Consider acceptance of a 5' of sidewalk easement located at 237 NW 5<sup>th</sup> Ave.

The owner, Delray Beach Community Land Trust, submitted building permit # 19-00182159 on 3/12/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item B**

Consider acceptance of sidewalk easement located at 233 SW 14<sup>th</sup> Ave.

The owner, Delray Beach Community Land Trust, submitted building permit # 19-00183685 on 6/03/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item C**

Consider acceptance of a 5' of sidewalk easement located at 229 SW 14<sup>th</sup> Ave., Lot 8.

The owner, Delray Beach Community Land Trust, submitted building permit # 19-00183686 on 6/03/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item D**

Consider acceptance of a 5' of sidewalk easement located at 1121 Miami Blvd.

The owner, H3 International, LLC, submitted building permit # 16-00165171 on 8/24/16 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a

5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

#### **Item F**

Consider acceptance of a 5' sidewalk easement located at 1110 Waterway Lane.

The owner, Next Chapter Investments, LLC, submitted building permit #19-00183496 on 5/22/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

#### **Item G**

Consider acceptance of a 5' sidewalk easement located at 303 NW 18<sup>th</sup> St.

The owner, 315 NW 18<sup>th</sup> St., LLC., submitted building permit #19-00182362 on 3/22/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

#### **Item H**

Consider acceptance of a 5' sidewalk easement at 901 Allamanda Dr.

The owner, 901 Allamanda LLC., submitted permit #18-00180074 on 11/9/18 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

#### **Item I**

Consider acceptance of a 5' of sidewalk easement at 12 NW 18<sup>th</sup> St.

The owner Mizner Dev. SE 4<sup>th</sup> Ave., LLC, submitted a permit #19-184747 on 7/26/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

#### **Item J**

Consider acceptance of a 5' of sidewalk easement at 315 NW 16<sup>th</sup> St.

The owner, 315 Delray LLC., submitted building permit # 19-182864 on 4/19/19 to construct a new

single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item K**

Consider acceptance of a 5' of sidewalk easement at 1126 Waterway Ln.

The owner, Courchene Development Palm Beach, LLC, submitted building permit # 19-00182339 on 3/21/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item L**

Consider acceptance of a 5' of sidewalk easement at 941 Seagate Dr.

The owner, 941 SG 944 SO, LLC, submitted building permit # 19-00181959 on 2/28/19 to construct a new single-family residence. The roadway which has an ultimate right of way width of 60 feet. In accordance with LDR 5.31 (D), per the survey; 5' would be required from this property. As a result, a 5' perpetual sidewalk easement was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

**Item M**

On May 10, 2019, the owners (Peter G and Tatiana Marra) submitted building permit #19-183290 at 509 Curlew Rd. to construct a new single family residence.

Upon the engineering review of the application submitted, a city owned sewer main was discovered on the applicant's property without an easement. As part of an agreement with city staff and the applicant, a new 10' foot utility easement has been established per sketch and description on "Exhibit A".

There is no City cost now or in the future for these items.

**Attachments provided:**

- 1) Legal Checklist
- 2) Item (A) Exhibit (A) Sketch and Description - 237 NW 5<sup>th</sup> Ave.
- 3) Item (A) PAPA Map - 237 NW 5<sup>th</sup> Ave.

- 4) Item (A) PAPA Page - 237 NW 5<sup>th</sup> Ave.
- 5) Item (A) PSE Agreement - 237 NW 5<sup>th</sup> Ave.
- 6) Item (A) Sunbiz - 237 NW 5<sup>th</sup> Ave.
- 7) Item (B) Exhibit (A) Sketch and Description - 233 SW 14<sup>th</sup> Ave.
- 8) Item (B) PAPA Map - 233 SW 14<sup>th</sup> Ave.
- 9) Item (B) PAPA Page -233 SW 14<sup>th</sup> Ave.
- 10)Item (B) PSE Agreement - 233 SW 14<sup>th</sup> Ave.
- 11)Item (B) Sunbiz - 233 SW 14<sup>th</sup> Ave.
- 12)Item (C) Exhibit (A) Sketch and Description - 229 SW 14<sup>th</sup> Ave.
- 13)Item (C) PAPA Page - 229 SW 14<sup>th</sup> Ave.
- 14)Item (C) PAPA Map - 229 SW 14<sup>th</sup> Ave.
- 15)Item (C) PSE Agreement - 229 SW 14<sup>th</sup> Ave.
- 16)Item (C) Sunbiz - 229 SW 14<sup>th</sup> Ave.
- 17)Item (D) Exhibit A Sketch - 1121 Miami Blvd.
- 18)Item (D) PAPA Map - 1121 Miami Blvd.
- 19)Item (D) PAPA Page - 1121 Miami Blvd.
- 20)Item (D) PSE Agreement - 1121 Miami Blvd.
- 26)Item (F) Exhibit A Sketch - 1110 Waterway Ln.
- 27)Item (F) PAPA Map - 1110 Waterway Ln.
- 28)Item (F) PAPA Page - 1110 Waterway Ln.
- 29)Item (F) PSE Agreement - 1110 Waterway Ln.
- 30)Item (G) Address Application - 303 NW 18<sup>th</sup> St.
- 31)Item (G) Exhibit A Sketch - 303 NW 18<sup>th</sup> St.
- 32)Item (G) PAPA Map - 303 NW 18<sup>th</sup> St.
- 33)Item (G) PAPA Page - 303 NW 18<sup>th</sup> St.

- 34)Item (G) PSE Agreement - 303 NW 18<sup>th</sup> St.
- 35)Item (H) Exhibit A - 901 Allamanda Dr.
- 36)Item (H) PAPA Map - 901 Allamanda Dr.
- 37)Item (H) PAPA Page - 901 Allamanda Dr.
- 38)Item (H) PSE Agreement - 901 Allamanda Dr.
- 39)Item (H) Survey - 901 Allamanda Dr.
- 40)Item (I)Exhibit A - 12 NW 18<sup>th</sup> St.
- 41)Item (I) PAPA Map - 12 NW 18<sup>th</sup> St.
- 42)Item (I) PAPA Page - 12 NW 18<sup>th</sup> St.
- 43)Item (I) PSE Agreement - 12 NW 18<sup>th</sup> St.
- 44)Item (I) Sunbiz - 12 NW 18<sup>th</sup> St.
- 45)Item (J) Exhibit A Sketch - 315 NW 18<sup>th</sup> St.
- 46)Item (J) PAPA Map - 315 NW 18<sup>th</sup> St.
- 47)Item (J) PAPA Page - 315 NW 18<sup>th</sup> St.
- 48)Item (J) PSE Agreement - 315 NW 18<sup>th</sup> St.
- 49)Item (K) Exhibit A Sketch - 1126 Waterway Ln.
- 50)Item (K) PAPA Map - 1126 Waterway Ln.
- 51)Item (K) PAPA Page - 1126 Waterway Ln.
- 52)Item (K) PSE Agreement - 1126 Waterway Ln.
- 53)Item (L) Exhibit A Sketch - 941 Seagate Dr.
- 54)Item (L) PAPA Map - 941 Seagate Dr.
- 55)Item (L) PAPA Page - 941 Seagate Dr.
- 56)Item (L) PSE Agreement - 941 Seagate Dr.
- 57)Item (L) Sunbiz - 941 Seagate Dr.
- 58)Item (M) Exhibit A - 509 Curlew Rd.

59)Item (M) Easement Agreement - 509 Curlew Rd.

60)Item (M) PAPA Map - 509 Curlew Rd.

61)Item (M) PAPA Page - 509 Curlew Rd.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Timing of Request:**

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