



Legislation Details (With Text)

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On agenda: 12/10/2019 **Final action:** 12/10/2019
Title: ITEMS (A - L) - ACCEPTANCE OF A RIGHT OF WAY EASEMENT AND PERPETUAL
SIDEWALK EASEMENT DEDICATIONS FOR MULTIPLE PROPERTIES
Sponsors: Public Works Department
Indexes:
Code sections:

Attachments: 1. Agenda Cover Report, 2. Simple Legal Review Approval- PSE Agreements, 3. Item (A) Exhibit A - 1102 Coconut Row, 4. Item (A) ROW Deed - 1102 Coconut Row, 5. Item (B) Exhibit A Sketch, 6. Item (B) PSE Agreement - 1127 Miami Blvd., 7. Item (C) Exhibit A Sketch - 215 SE 5th St., 8. Item (C) PSE Agreement - 215 SE 5th St., 9. Item (D) Exhibit A Sketch - 238 SE 1st Ave., 10. Item (D) PSE Agreement - 238 SE 1st Ave., 11. Item (E) Exhibit A Sketch - 127 NW 9th Ave., 12. Item (E) -PSE Agreement - 127 NW 9th Ave., 13. Item (F) Exhibit A Sketch - 270 NE 16th St., 14. Item (F) PSE Agreement - 270 NE 16th St., 15. Item (G) Exhibit A Sketch - 1621 N. Swinton Ave., 16. Item (G) PSE Agreement - 1621 N. Swinton Ave., 17. Item (H) Exhibit A Sketch - 634 SW 7th Ave., 18. Item (H) PSE Agreement - 634 SW 7th Ave., 19. Item (I) Exhibit A Sketch-N. Lake Ave., 20. Item (I) PSE Agreement - 830 N. Lake Ave., 21. Item (J) Exhibit A Sketch 402 NW 17th St., 22. Item (J) PSE Agreement - 402 NW 17th St., 23. Item (K) Exhibit A - S. Lake Ave., 24. Item (K) PSE Agreement - 749 S. Lake Ave., 25. Item (L) Exhibit A Sketch - 309 SW 5th Ave., 26. Item (L) PSE Agreement - 309 SW 5th Ave.

Date	Ver.	Action By	Action	Result
12/10/2019	1	City Commission	approved	

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: December 10, 2019

**ITEMS (A - L) - ACCEPTANCE OF A RIGHT OF WAY EASEMENT AND PERPETUAL
SIDEWALK EASEMENT DEDICATIONS FOR MULTIPLE PROPERTIES**

Recommended Action:
RIGHT OF WAY DEDICATION(S)
Item A

(A) Motion to approve and accept a 5' Right of Way dedication by the owner(s)
of 1102 Coconut Row to the City of Delray Beach.

PERPETUAL SIDEWALK EASEMENT(S)
Item B

(B) Motion to approve and accept dedication of a 5' sidewalk easement by the
owner(s) of 1127 Miami Blvd. to the City of Delray Beach.

Item C

(C) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 215 SE 5th St. to the City of Delray Beach.

Item D

(D) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 238 SE 1st Ave. to the City of Delray Beach.

Item E

(E) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 127 NW 9th Ave. to the City of Delray Beach.

Item F

(F) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 270 NE 16th St. to the City of Delray Beach.

Item G

(G) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 1621 N. Swinton Ave. to the City of Delray Beach.

Item H

(H) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 634 SW 7th Ave. to the City of Delray Beach.

Item I

(I) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 830 N. Lake Ave. to the City of Delray Beach.

Item J

(J) Motion to approve and accept dedication of a 5' sidewalk easement by the owner(s) of 402 NW 17th St. to the City of Delray Beach.

Item K

(K) Motion to approve and accept dedication of a 5' of sidewalk easement by the owner(s) of 749 S. Lake Ave.

Item L

(L) Motion to approve and accept dedication of a 5' of sidewalk easement by the owner(s) of 309 SW 5th Ave.

Background:

RIGHT OF WAY DEDICATION(S)

Item A

Consider acceptance of a 5' of Right of Way easement on 1102 Coconut Row.

The owner, Barranca Holdings LLC., submitted building permit # 19-00184721 on 7/25/19 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' is be required from this property. As a result, a 5' Right of Way dedication was requested to satisfy the requirement.

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

PERPETUAL SIDEWALK EASEMENT(S)

Item B

Consider acceptance of a 5' of sidewalk easement located at 1127 Miami Blvd.

The owner, H3 International, LLC, submitted building permit # 16- 00164688 on 7/26/16 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 B

Consider acceptance of a 5' sidewalk easement on 215 SE 5th St.

This is part of the Osceola Park Project that includes repairing the sidewalk that is located, in part, on the owner's property at 215 SE 5th St. The project is expected to begin construction in early 2020. Permission to construct the necessary improvements to the sidewalk has been signed and notarized by the owner and paperwork returned for final approval.

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

Item C

Consider acceptance of a 5' sidewalk easement on 238 SE 1st Ave.

This is part of the Osceola Park Project that includes repairing the sidewalk that is located, in part, on the owner's property at 238 SE 1st Ave. The project is expected to begin construction in early 2020. Permission to construct the necessary improvements to the sidewalk has been signed and notarized by the owner and paperwork returned for final approval.

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

Item D

Consider acceptance of a 5' sidewalk easement on 127 NW 9th Ave.

The owner, JSM Delray, LLC., submitted building permit # 19-00186138 on 10/16/19 to construct a new single-family residence. This is part of West Side Heights. 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.

This is part of West Side Heights.

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

Item A

Consider acceptance of a 5' of Right of Way easement on 1102 Coconut Row.

The owner, Barranca Holdings LLC., submitted building permit # 19-00184721 on 7/25/19 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' is required from this property. As a result, a 5' Right of Way dedication 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' of sidewalk easement at 270 NE 16th St.

The owners, David Kohl and Sara Gianna Kohl, submitted building permit # 19-00181482 on 2/05/19 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.

Consider acceptance of a 5' of sidewalk easement at 1621 N. Swinton Ave.
Permit #20181662 on 2/14/19

Item G

Consider acceptance of a 5' of sidewalk easement at 1621 N. Swinton Ave.

The owner, 1621 N. Swinton, LLC., submitted building permit # 19- 20181662 on 2/14/19 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' of sidewalk easement at 634 SW 7th Ave.

The owner, GRAV, Inc., submitted building permit # 19-00182245 on 3/18/19 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 I

Consider acceptance of a 5' of sidewalk easement at 830 N. Lake Ave.

The owner, Delray Beach Luxury Homes, LLC., submitted building permit # 18-00176751 on 6/01/18 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 J

Consider acceptance of a 5' of sidewalk easement located at 402 NW 17th St.

The owners, Lianne and Baker Cavell, submitted building permit # 19-00181052 on 1/11/19 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 located at 749 S. Lake Ave.

The owners, Delray Beach Luxury Homes, LLC, submitted building permit # 19-00183787 on 6/07/19 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 located at 309 SW 5th Ave.

The owners, Delray Community Land Trust, submitted building permit # 19-00182128 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.

Attachments provided:

- 1) Legal Checklist
- 2) Item (A) Exhibit A - 1102 Coconut Row
- 3) Item (A) ROW Deed - 1102 Coconut Row
- 4) Item (B) Exhibit (A) Sketch - 1127 Miami Blvd.
- 5) Item (B) PSE Agreement - 1127 Miami Blvd.
- 6) Item (C) Exhibit (A) Sketch - 215 SE 5th St.
- 7) Item (C) PSE Agreement - 215 SE 5th St.
- 8) Item (D) Exhibit A Sketch - 238 SE 1st Ave.
- 9) Item (D) PSE Agreement - 238 SE 1st Ave.
- 10)Item (E) Exhibit A Sketch - 127 NW 9th Ave.
- 11)Item (E) PSE Agreement - 127 NW 9th Ave.
- 12)Item (F) Exhibit A - 270 NE 16th St.
- 13)Item (F) PSE Agreement - 270 NE 16th St.
- 14)Item (G) Exhibit A Sketch -1621 N. Swinton Ave.
- 15)Item (G) PSE Agreement - 1621 N. Swinton Ave.
- 16)Item (H) Exhibit A Sketch - 634 SW 7th Ave.
- 17)Item (H) PSE Agreement - 634 SW 7th Ave.
- 18)Item (I) Exhibit A Sketch - 830 N. Lake Ave.
- 19)Item (I) PSE Agreement - 830 N. Lake Ave.
- 20)Item (J) Exhibit A Sketch - 402 NW 17th St.
- 21)Item (J) PSE Agreement - 402 NW 17th St.
- 22)Item (K) Exhibit A Sketch - 749 S. Lake Ave.
- 23)Item (K) PSE Agreement - 749 S. Lake Ave.
- 24)Item (L) Exhibit A Sketch - 309 SW 5th Ave.
- 25)Item (L) PSE Agreement - 309 SW 5th Ave.

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.