



Legislation Details (With Text)

File #: 20-1066 **Version:** 1 **Name:**
Type: Request **Status:** Passed
File created: 12/9/2020 **In control:** City Commission
On agenda: 1/5/2021 **Final action:** 1/5/2021
Title: ITEM(S) A1, A2, B1 AND C1- ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION FOR 215 NE 7th Ave., ACCEPTANCE OF A RIGHT OF-WAY-DEDICATION FOR 1225 S. OCEAN BLVD., ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 238 SW 6th AVE. AND ACCEPTANCE OF AN UNDERGROUND EASEMENT(BUSINESS) FOR 1725 NE 3RD AVE.

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Item (1) Legal Reviews -(4), 3. Item (A1a) ROW Deed - 215 NE 7th Ave, 4. Item (A1b) Exhibit A Sketch - 215 SE 7th Ave., 5. Item (A2a) ROW Deed - 1225 S. Ocean Blvd., 6. Item (A2b) - Exhibit A Sketch - 1225 S. Ocean Blvd., 7. Item (B1a) - 238 SW 6th Ave. PSE, 8. Item (B1b) Exhibit A Sketch - 238 SW 6th Ave. - Revised, 9. Item (C1a) - 1725 NE 3RD AVE - FPL EASEMENT, 10. Item (C1b) - 1725 NE 3RD AVE - EXHIBIT A

Date	Ver.	Action By	Action	Result
1/5/2021	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Jennifer Alvarez, Interim City Manager
DATE: January 5, 2021

ITEM(S) A1, A2, B1 AND C1- ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION FOR 215 NE 7th Ave., ACCEPTANCE OF A RIGHT OF-WAY-DEDICATION FOR 1225 S. OCEAN BLVD., ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 238 SW 6th AVE. AND ACCEPTANCE OF AN UNDERGROUND EASEMENT(BUSINESS) FOR 1725 NE 3RD AVE.

Recommended Action:

Consideration of the following items:

RIGHT-OF-WAY DEED(S)

Items A

Item A1 - Motion to approve and accept a Right-of-Way dedication by the owner(s) of 215 NE 7th Ave. to the City of Delray Beach.

Item A2 - Motion to approve and accept a Right-of-Way dedication by the owner(s) of 1225 S. Ocean Blvd. to the City of Delray Beach.

PERPETUAL SIDEWALK EASEMENT AGREEMENT(S)

Item B

Item B1 - Motion to approve and accept a Perpetual Sidewalk Easement Agreement by the owner(s) of 238 SW 6th Ave. to the City of Delray Beach

FLORIDA POWER AND LIGHT EASEMENT DEDICATION(S)

Item C1 - Motion to approve the dedication of a Utility Easement to Florida Power and Light for 1725 NE 3RD AVE. from the City of Delray Beach.

Background:

RIGHT OF WAY DEDICATION(S)

Item A1

Consider acceptance of a Right-of-Way Dedication located at 215 NE 7th Ave.

The owner(s), Azure 215 NE 7th Ave. LLC, submitted building permit #19-185599 on 9/18/19 to construct a new single-family residence. The adjacent roadway has an ultimate right-of-way width of 50 feet. In accordance with LDR 5.3.1 (D), 5' would 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.

Item A2

Consider acceptance of a Right-of-Way Dedication located at 1225 S. Ocean Blvd.

The owner(s), Banyan House Condominium, are preparing for submitting a permit application to build on the subject property. During the pre-application process it was determined that the property is on the corner of two roadways. In accordance with LDR 6.1.2 (C)(2)(b) a 25' radius between the intersections of Ocean Boulevard and White Drive would be required. As a result, a 25' radius right-of-way dedication was requested to satisfy the requirement.

PERPETUAL SIDEWALK EASEMENT AGREEMENT(S)

Item B1

Consider acceptance of a Perpetual Sidewalk Easement Agreement on 238 SW 6th Ave.

The City has requested, and the owner has agreed to provide this 3' sidewalk easement to facilitate maintenance on the existing sidewalk on SE 6th Avenue.

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

FLORIDA POWER AND LIGHT EASEMENT DEDICATION(S)

Item B1

Consider an Easement Dedication to Florida Power and Light located at 1725 NE 3rd Ave.

Florida Power and Light, as a part of their effort to underground power lines on NE 3rd Ave. has

requested that the City of Delray Beach dedicate a 10' x 10' Easement in favor of Florida Power and Light which intends to use the easement to install a transformer.

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

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

NA

Timing of Request: The timing of these requests is of high importance in order to process the project C/Os when completed.