



## Legislation Details (With Text)

**File #:** 22-516      **Version:** 1      **Name:**

**Type:** Request      **Status:** Agenda Ready

**File created:** 4/18/2022      **In control:** City Commission

**On agenda:** 5/3/2022      **Final action:**

**Title:** ITEM(S) A1, A2, A3,A4, A5 AND A6 - ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 300 SANDPIPER LANE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 924 NE 9th AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 404 SE 4th AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 408 SW 4TH STREET AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 508 NE 7TH AVENUE AND ACCEPTANCE OF RIGHT OF WAY DEDICATION BY 512 NE 7TH AVENUE.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Legal Review ROW Deed 300 Sandpiper Lane Sherri Glist Mariani Declaration of Trust, 3. Legal Review ROW Deed 924 NE 9th Ave LLC, 4. Legal Review ROW Deed 404 SE 4th Ave Casa Moderna Delray LLC, 5. Legal Review ROW Deed 408 SW 4th Street 408SW LLC, 6. Legal Review ROW Deed 508 NE 7th Ave, 7. Legal Review ROW Deed 512 NE 7th Ave, 8. Item (A1a) ROW - 300 Sandpiper Ln, 9. Item (A1b) Exhibit A Sketch of Desc - 300 Sandpiper Ln., 10. Item (A2a) ROW - 924 NE 9th Ave, 11. Item (A2b) Exhibit A & Survey - 924 NE 9th Ave (1), 12. Item (A3a) ROW - 404 SE 4th Ave, 13. Item (A3b) Exhibit A Sketch & Desc - 404 SE 4th Ave, 14. Item (A4a) 408 SW 4th St. - ROW, 15. Item (A4b) Exhibit A Sketch - 408 SW 4th St, 16. Item (A5a)- 508 NE 7th Ave, 17. Item (A5b) Exhibit A & Sketch - 508 NE 7th Ave, 18. Item (A6a) - 512 NE 7th Ave - ROW (1), 19. Item (A6b) Exhibit A Sketch - 512 NE 7th Ave

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** May 3, 2022

ITEM(S) A1, A2, A3,A4, A5 AND A6 - ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 300 SANDPIPER LANE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 924 NE 9<sup>th</sup> AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 404 SE 4<sup>th</sup> AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 408 SW 4<sup>TH</sup> STREET AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 508 NE 7<sup>TH</sup> AVENUE AND ACCEPTANCE OF RIGHT OF WAY DEDICATION BY 512 NE 7<sup>TH</sup> AVENUE.

**Recommended Action:**  
**Consideration of the following items:**

**RIGHT OF WAY DEED(S)**  
**Item(S) A**

Item A1 - Motion to approve and accept a Right of Way Dedication by the owners of 300 Sandpiper

Ln.

Item A2 - Motion to approve and accept a Right of Way Dedication by the owners of. 924 NE 9<sup>th</sup> Ave.

Item A3 - Motion to approve and accept a Right of Way Dedication by the owners of 404 SE 4<sup>th</sup> Ave.

Item A4 - Motion to approve and accept a Right of Way Dedication by the owners of 408 SW 4<sup>th</sup> St.

Item A5 - Motion to approve and accept a Right of Way Dedication by the owners of 508 NE 7<sup>TH</sup> Ave.

Item A6 - Motion to approve and accept a Right of Way Dedication by the owners of 512 NE 7<sup>TH</sup> Ave.

### **Background:**

#### **Item A1**

Consider acceptance of a Right of Way Dedication located at 300 Sandpiper Ln.

The owner(s), Sherri Glist Mariani Declaration of Trust, submitted building permit #21-200732 on 11/12/21 for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) a 25' dedication at the intersection of Sandpiper Ln and Laing St would be required. As a result, a 25 ft radial 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 924 NE 9<sup>th</sup> Ave.

The owner(s), 924 NE 9<sup>th</sup> Ave., LLC., submitted building permit # 21-200239 on 10/15/21 for the subject property. During the application process it was determined that the property is adjacent to a 16ft alley. In accordance with LDR 5.3.1 (A) a 2' dedication along the alley would be required. As a result, a 2 ft right of way dedication was requested to satisfy the requirement.

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

#### **Item A3**

Consider acceptance of a Right of Way Dedication located at 404 SE 4<sup>th</sup> Ave.

The owner(s), Casa Moderna Delray LLC., submitted building permit # 21-201515 on 12/29/21 for the subject property. During the application process it was determined that the property is adjacent to a 16ft alley. In accordance with LDR 5.3.1 (A) a 2' dedication along the alley would be required. As a result, a 2 ft right of way dedication was requested to satisfy the requirement.

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

#### **Item A4**

Consider acceptance of a Right of Way Dedication located at 408 SW 4<sup>th</sup> St.

The owner(s), 408SW LLC., submitted building permit # 19-183151 on 5/06/19 for the subject property. During the application process it was determined that the 3 lots are along SW 4<sup>th</sup> Ave and at an intersection. In accordance with LDR 5.3.1 (A) a 15' dedication along SW 4<sup>th</sup> Ave and a 25ft radial right of way at the intersection of SW 4<sup>th</sup> St and SW 4<sup>th</sup> Ave would be required. As a result, a right of way dedication was requested to satisfy the requirement.

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

#### **Item A5**

Consider acceptance of a Right of Way Dedication located at 508 NE 7<sup>TH</sup> Ave.

The owner(s), 508 NE 7<sup>th</sup> Ave LLC., submitted building permit # 22-203363 on 4/01/22 for the subject property. During the application process it was determined that the property is adjacent to a 16 ft alley, and the intersection of NE 5<sup>th</sup> St and NE 7<sup>th</sup> Ave. In accordance with LDR 5.3.1 (A) a 2' dedication along the alley, a 25 ft radial right of way at the intersection, and a 5ft dedication along NE 7<sup>th</sup> Ave would be required. As a result, a right of way dedication was requested to satisfy the requirement.

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

#### **Item A6**

Consider acceptance of a Right of Way Dedication located at 512 NE 7<sup>th</sup> Ave.

The owner(s), 512 NE 7<sup>th</sup> Ave LLC., submitted building permit 21-199120 on 8/19/21 for the subject property. During the application process it was determined that the property is adjacent to a 16ft alley and on NE 7<sup>th</sup> Ave. In accordance with LDR 5.3.1 (A) a 5' dedication along NE 7<sup>th</sup> Ave and a 2ft dedication along the alley would be required. As a result, a right of way dedication was requested to satisfy the requirement.

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:**

N/A

#### **Timing of Request:**

The timing of these requests is of high importance in order to allow projects to continue construction.