



## Legislation Details (With Text)

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<b>Type:</b>	Request	<b>Status:</b>		Passed	
<b>File created:</b>	2/9/2023	<b>In control:</b>		City Commission	
<b>On agenda:</b>	3/6/2023	<b>Final action:</b>		3/6/2023	
<b>Title:</b>	ITEM(S) A1 and B1 - ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 403 PALM TRL AND A RIGHT OF WAY DEDICATION BY 6 EASTVIEW AVE				
<b>Sponsors:</b>	Public Works Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Agenda Cover Report, 2. A1a - Right of Way Deed - 403 Palm Trail Barbara and Paul Nix, 3. A1b- Sketch and Legal - 403 Palm Trail Barbara and Paul Nix, 4. B1a Right of Way Deed - 6 Eastview Avenue - Testarel LLC, 5. B1b - Sketch and Legal - 6 Eastview Avenue - Testarel LLC, 6. Legal Review Right of Way Deed 6 Eastview Avenue Testarel LLC, 7. Legal Review Right of Way Deed 403 Palm Trail Barbara and Paul Nix				

Date	Ver.	Action By	Action	Result
3/6/2023	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** March 6, 2023

ITEM(S) A1 and B1 - ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 403 PALM TRL AND A RIGHT OF WAY DEDICATION BY 6 EASTVIEW AVE

### Recommended Action:

Item A1 - Motion to approve and accept a Right of Way Dedication by the owners of 403 Palm Trl

Item B1 - Motion to approve and accept a Right of Way Dedication by the owners of 6 Eastview Ave

### Background:

Item A1

Consider acceptance of a Right of Way Dedication by the owners of 403 Palm Trl

The owner(s), Barbara and Paul Nix submitted building permit application #21-199635 on 9/17/2021, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A), Palm Trail has an ultimate right of way of 50 ft, and that Fisher Lane has an ultimate right of way of 20 ft. The intersection of NE 4th St and Palm Trl would also require a 25ft radius due to both streets having an ultimate right of way of 50ft. As a result, a 5 ft right of way dedication was requested along Palm Trl, 4 ft along Fisher Lane, and a 25ft radius at the intersection to satisfy the requirements.

Item B1

Consider acceptance of a right of way dedication by the owners of 6 Eastview Ave

The owner(s), Testarel LLC., submitted building permit application #22-206445 on 8/29/2022, for the subject property. During the application process it was determined that in accordance with LDR 5.3.1 (A) the ultimate right of way of Eastview Ave is 40 ft. As a result, a .56ft right of way dedication along Eastview Ave would be required.

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:**

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

**Timing of Request:**

This item is related to permit approvals and could impact issuance.