



## Legislation Text

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**File #:** 18-451, **Version:** 1

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**TO:** Mayor and Commissioners  
**FROM:** Susan Goebel-Canning, Public Works Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** August 21, 2018

ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 102 NW 16<sup>th</sup> St.

**Recommended Action:**

Motion to approve and accept a five-foot sidewalk easement located at 102 NW 16<sup>th</sup> St.

**Background:**

Consider acceptance of sidewalk easement located at 102 NW 16<sup>th</sup> St.

On April 24, 2018, the owner 109 NE 18<sup>th</sup> St. LLC. submitted building permit #18-175894 to construct a new single family residence located at 102 NW 16<sup>th</sup> St. This property is located on NW 16<sup>th</sup> St. west of N. Swinton Ave.

The roadway, NW 16<sup>th</sup> St. associated with this project is a local street without curb and gutter which has an ultimate right of way width of 60 feet. In accordance with LDR 5.3.1(D), the existing right of way width is 50 feet on NW 16<sup>th</sup> St., per the survey, five feet would be required from this property.

There is no City cost now or in the future for this item.

Attachments provided:

- 1) Perpetual Sidewalk Easement Agreement
- 2) "Exhibit A" Sketch and Legal Description
- 3) Survey 102 NW 16<sup>th</sup> St.
- 4) PAPA Map Location 102 NW 16<sup>th</sup> St.
- 5) PAPA Page 102 NW 16<sup>th</sup> St.
- 6) Sunbiz Page 102 NW 16<sup>th</sup> St.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

There is no fiscal impact to the City of Delray Beach (City) as a result of this easement acceptance.

**Timing of Request:**

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