



Legislation Text

File #: 18-480, Version: 1

TO: Mayor and Commissioners
FROM: Patrick Figurella, City Engineer - Development Services Engineering
THROUGH: Mark R. Lauzier, City Manager
DATE: August 21, 2018

ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 1011 NW 3RD AVE.

Recommended Action:

Motion to Approve and accept a five-foot sidewalk easement on NW 3rd Ave. located at 1011 NW 3rd Ave.

Background:

Consider acceptance of a sidewalk easement located at 1011 NW 3rd Ave.

On September 28th, 2017, the owner Mahendra-Rajah Family Land Trust submitted building permit #17-171885 to construct a new single family residence located at 1011 NW 3rd Ave. This property is located west of N. Swinton Ave. on NW 11th St. and south on NW 3rd Ave on the east side of the roadway.

The roadway, NW 3rd Ave. 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 3rd Ave. 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 1011 NW 3rd Ave.
- 4) PAPA Map Location 1011 NW 3rd Ave.
- 5) PAPA Page 1011 NW 3rd Ave.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

There is no financial impact to the City of Delray Beach 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.