



Legislation Text

File #: 18-481, **Version:** 1

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 801 NE 5TH ST.

Recommended Action:

Motion to approve and accept a five-foot sidewalk easement located at 801 NE 5th St.

Background:

Consider acceptance of a sidewalk easement located at 801 NE 5th St.

On June 4, 2018, the owner Mia Real Holdings submitted building permit #18-176785 to construct a new single family residence located at 801 NE 5th St. This property is located east of N. Federal Hwy on NE 5th St. in the NE corner of NE 8th Ave.

The roadway, NE 5th 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 NE 5th St. per the survey, 5 feet would be required from this property.

The roadway, NE 8th 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 NE 8th 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 801 NE 5th St.
- 4) PAPA Map Location 801 NE 5th St.
- 5) PAPA Page 801 NE 5th St.
- 6) Sun Biz Page

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.