



## Legislation Text

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File #: 20-1066, Version: 1

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**TO: Mayor and Commissioners**  
**FROM: Missie Barletto, Public Works Director**  
**THROUGH: Jennifer Alvarez, Interim City Manager**  
**DATE: January 5, 2021**

ITEM(S) A1, A2, B1 AND C1- ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION FOR 215 NE 7<sup>th</sup> Ave., ACCEPTANCE OF A RIGHT OF-WAY-DEDICATION FOR 1225 S. OCEAN BLVD., ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 238 SW 6<sup>th</sup> AVE. AND ACCEPTANCE OF AN UNDERGROUND EASEMENT(BUSINESS) FOR 1725 NE 3<sup>RD</sup> AVE.

**Recommended Action:**

**Consideration of the following items:**

**RIGHT-OF-WAY DEED(S)**

**Items A**

**Item A1** - Motion to approve and accept a Right-of-Way dedication by the owner(s) of 215 NE 7<sup>th</sup> Ave. to the City of Delray Beach.

**Item A2** - Motion to approve and accept a Right-of-Way dedication by the owner(s) of 1225 S. Ocean Blvd. to the City of Delray Beach.

**PERPETUAL SIDEWALK EASEMENT AGREEMENT(S)**

**Item B**

**Item B1** - Motion to approve and accept a Perpetual Sidewalk Easement Agreement by the owner(s) of 238 SW 6<sup>th</sup> Ave. to the City of Delray Beach

**FLORIDA POWER AND LIGHT EASEMENT DEDICATION(S)**

**Item C1** - Motion to approve the dedication of a Utility Easement to Florida Power and Light for 1725 NE 3<sup>RD</sup> AVE. from the City of Delray Beach.

**Background:**

**RIGHT OF WAY DEDICATION(S)**

**Item A1**

Consider acceptance of a Right-of-Way Dedication located at 215 NE 7<sup>th</sup> Ave.

The owner(s), Azure 215 NE 7<sup>th</sup> Ave. LLC, submitted building permit #19-185599 on 9/18/19 to construct a new single-family residence. The adjacent roadway has an ultimate right-of-way width of 50 feet. In accordance with LDR 5.3.1 (D), 5' would be required from this property. As a result, a 5' 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 1225 S. Ocean Blvd.

The owner(s), Banyan House Condominium, are preparing for submitting a permit application to build on the subject property. During the pre-application process it was determined that the property is on the corner of two roadways. In accordance with LDR 6.1.2 (C)(2)(b) a 25' radius between the intersections of Ocean Boulevard and White Drive would be required. As a result, a 25' radius right-of-way dedication was requested to satisfy the requirement.

### **PERPETUAL SIDEWALK EASEMENT AGREEMENT(S)**

#### **Item B1**

Consider acceptance of a Perpetual Sidewalk Easement Agreement on 238 SW 6<sup>th</sup> Ave.

The City has requested, and the owner has agreed to provide this 3' sidewalk easement to facilitate maintenance on the existing sidewalk on SE 6<sup>th</sup> Avenue.

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

### **FLORIDA POWER AND LIGHT EASEMENT DEDICATION(S)**

#### **Item B1**

Consider an Easement Dedication to Florida Power and Light located at 1725 NE 3<sup>rd</sup> Ave.

Florida Power and Light, as a part of their effort to underground power lines on NE 3<sup>rd</sup> Ave. has requested that the City of Delray Beach dedicate a 10' x 10' Easement in favor of Florida Power and Light which intends to use the easement to install a transformer.

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:**

NA

**Timing of Request:** The timing of these requests is of high importance in order to process the project C/Os when completed.