




MEMORANDUM

DATE: June 24, 2005

TO: Leif J. Ahnell, C.P.A., C.G.F.O.
City Manager

FROM: Carmen Annunziato, AICP 
Planning and Zoning Director

SUBJECT: Butts Road/US Epperson

The purpose of this memorandum is to clarify the status of the Butts Road right-of-way/LWDD 45 Canal land area and to advise on the ability to landscape same.

First, there is no excess "40 feet" of land available for landscaping lying north of and adjacent to Butts Road, owned by the Arvida Corporation as depicted on the Property Appraiser's map. This property was deeded to the Lake Worth Drainage District in 1960 (see attached Quit-Claim Deed) and it constitutes the south 40 feet of the 80-foot LWDD 45 Canal right-of-way. This land area has caused confusion in the past, especially owing to the fact that the Property Appraiser distinguished this area as a distinct parcel and taxed it. The Property Appraiser's office now acknowledges that the 40 feet is the same area depicted in the attached Quit-Claim deed. Summarizing, there is 160 feet of land lying between the US Epperson property and the Boca Bath and Tennis development – 80 feet for the Butts Road right-of-way and 80 feet for the LWDD Canal 45 right-of-way.

Regarding landscaping the land areas identified above, please be advised of the following:

1. any landscaping in the LWDD Canal 45 right-of-way will require a permit from the District; and,
2. there are land areas within the Butts Road right-of-way located to the north of the roadway pavement that may be available for the installation of trees and landscaping.

There is no reason to elaborate on landscaping the LWDD Canal 45 right-of-way owing to the fact that the District is an independent governing agency that operates under its own rules and regulations; however, historically, it has been the District's policy to remove trees from its rights-of-way as opposed to allowing further encroachments into its jurisdictional land areas.

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Regarding Butts Road, the opportunity exists to plant trees to within 6 feet of the edge of the pavement, without having to construct curbing, owing to the fact that the posted speed limit is 30 miles per hour. To this end, staff has identified areas that meet the 6-foot "clear zone". These areas appear on the accompanying aerials as irregular, yellow striped parcels. Further, the cost to landscape these areas is at a minimum \$5.50 per square foot.

c: George Brown
Jorge Camejo
Bob DiChristopher
Henry Vidaurreta
Lynn Bodor



FAX TRANSMITTAL COVER SHEET

TO: Name Carolyn D. (Lynn) Bodor
Company City of Boca Raton
Fax Number (561) 393-7784

From: Name Jacqueline Padilla
Phone Number (561) 355-3480
Fax Number (561) 355-3065

Number of Pages Including Cover Sheet 2

MESSAGE: Ref: Quit claim deed between
Arvida Corporation &
LAKE WORTH DRAINAGE DISTRICT.

THE N 40 FT OF SE 1/4 LIES WITHIN
L-45 CNL R/W. NOT PART OF S100

WEST COUNTY
SERVICE CENTER
2976 State Road 15
Belle Glade, FL 33430
Tel: (561) 996-4890
Fax: (561) 996-1661

NORTH COUNTY
SERVICE CENTER
3188 PGA Blvd., Suite 2301
Palm Beach Gardens, FL 33410
Tel: (561) 624-6521
Fax: (561) 624-6565

MID-WESTERN COMMUNITIES
SERVICE CENTER
200 Civic Center Way, Suite 200
Royal Palm Beach, FL 33411
Tel: (561) 784-1220
Fax: (561) 784-1241

SOUTH COUNTY
SERVICE CENTER
501 S. Congress Ave.
Delray Beach, FL 33445
Tel: (561) 276-1250
Fax: (561) 276-1278

RECORD JES PAGE 1 U4

QUIT-CLAIM DEED

LEXIPROM (PHOTOCOPY) 0 1/2

LEXIPROMS, L.L.C. BOCA RATON, FLA

4005

Quit-Claim Deed

This Indenture, Made this 25th day of April, A. D. 1960
BETWEEN ARVIDA CORPORATION, a corporation existing under the laws of the
 State of Florida of the County of
 Palm Beach, and State of Florida, party of the first part, and
THE LAKE WORTH DRAINAGE DISTRICT,
 of the County of Palm Beach and State of Florida, party
 of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
 (\$1.00) One Dollars,
 in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, hath
 released, released and quit-claimed, and by these presents doth remise, release, and quit-claim unto the said
 party of the second part, and its heirs and assigns forever, all the estate, right, title, lien,
 equity, interest, claim and demand which the party of the first part hath in and to the following
 described lot, piece, or parcel of land, situate, lying and being in the County of Palm Beach
 State of Florida, to-wit:

North 40 feet of the SE 1/4 of Section 14, Twp. 47 S, Rge. 42 E,
 less the West 60 feet thereof and less the right-of-way for State
 Road 809.
 Containing 2.37 acres, more or less.

This deed is made for the purpose of giving and granting to the party of the second part,
 its successors and assigns, a right-of-way and easement in and to said lands for drainage
 purposes; and is made, executed and delivered with the express understanding and
 condition that should the same ever be discontinued or abandoned for drainage purposes
 the title to the same shall thereupon revert to and revert in the party of the first part,
 its successors or assigns.



*N 40 ft
 of SE 1/4 LIES
 within h-45
 CML R/W
 NOT PART
 OF 5100
 JW
 6/17/15*

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereto
 belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the
 said party of the first part either in law or equity, to the only proper use, benefit and behoof of the
 said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set
 hand and seal the day and year first above written. ARVIDA CORPORATION

Signed, sealed and delivered in presence of us:

John A. Weir
 John A. Weir, Vice President
Knox B. Phagan
 Knox B. Phagan, Secretary

State of Florida,

County of Palm Beach

Personally appeared before me

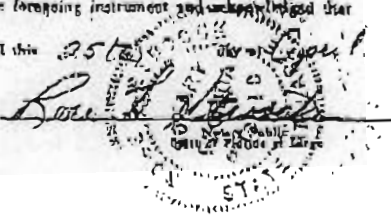
John A. Weir & Knox B. Phagan

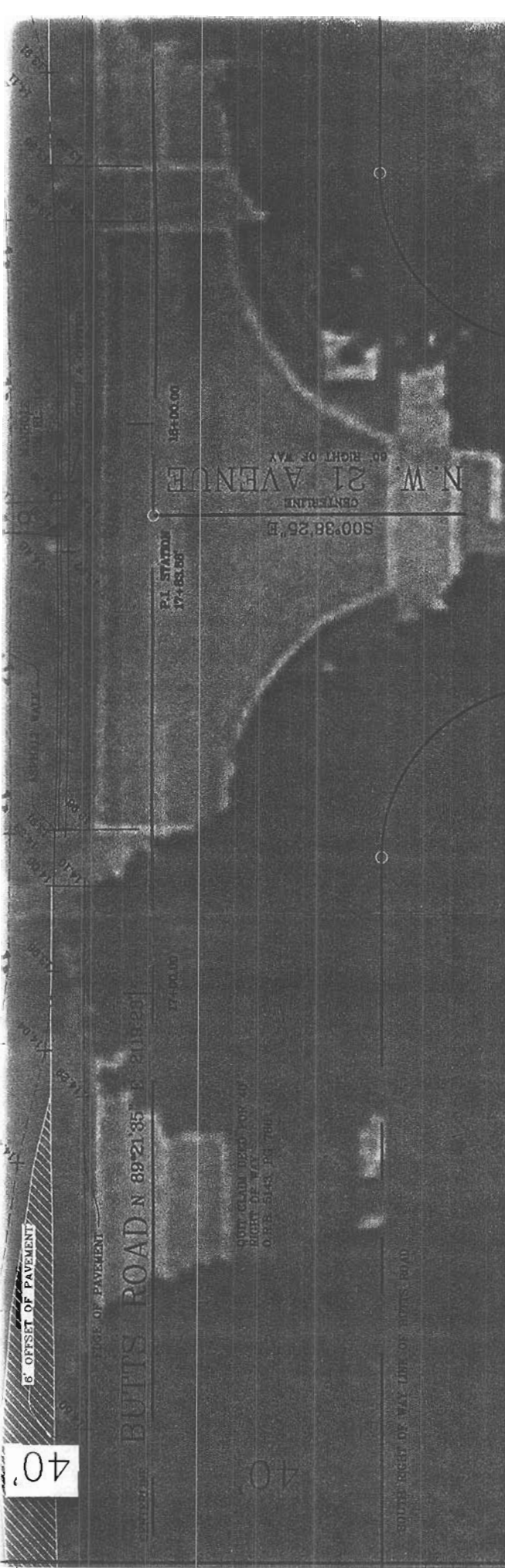
to me well known as the parties described in and who executed the foregoing instrument and who acknowledged that
 executed the same for the purposes therein expressed.

In Witness Whereof, I have hereunto affixed my hand and seal this 25th day of April,
 A.D. 1960.

My Commission Expires

May 5, 1961
 Recorded in Official Record Book
 of Palm Beach County, Florida
 J. ALEX ARNETTE
 CLERK OF CIRCUIT COURT





NOTES:

ELEVATIONS SHOWN HEREON ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.

IMPROVEMENTS, OTHER THAN SHOWN, WERE NOT LOCATED.

NO UNDERGROUND FOUNDATIONS WERE LOCATED.

NOT ABSTRACTED FOR EASEMENTS OR RIGHTS-OF-WAY OF RECORD.

SURVEY NOT VALID UNLESS EMBOSSED WITH CERTIFYING SURVEYOR'S SEAL

BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH WITH THE CENTERLINE OF BUTTS ROAD HAVING A BEARING OF N 89°21'35" E.

THIS HARD COPY IS THE OFFICIAL DEPICTION OF THE SURVEY AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER OR DIGITAL FORM OF THIS SURVEY.

SURVEY NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

FIELD WORK COMPLETED ON: 6-22-2005
 FIELD BOOK 285, PAGES 60-75



City Of Boca Raton
Municipal Services/Engineering Division

201 West Palmetto Park Road, Boca Raton Florida 33432-3795 Tel. (561)416-3401

No.	Revision