

INSTRUCTIONS FOR PREPARING A RIGHT-OF-WAY CONVEYANCE TO PALM BEACH COUNTY

General

All sections of the Document Request Form should be fully completed (info can be typed into the PDF) and submitted along with the appropriate Checklist.

If the property is owned by an individual or individuals, then signature authority will not be required. If the property is owned by a Corporation, Partnership, Limited Partnership, etc., then a copy of the minutes, resolution, affidavit, secretary certificate, etc., must be provided to establish that the person who will be signing the document has the specific authority to convey the property to Palm Beach County.

If applicable, provide a copy of the Resolution that contains the conditions for the conveyance(s). If a Resolution is not applicable, then provide a copy of the applicable Permit conditions from the Development Review Official (DRO), or other documentation explaining why the conveyance to Palm Beach County is needed.

Sketch and Legal

Provide a signed and sealed legal description and sketch (8.5" x 11") in accordance with current standards of practice and all County requirements for the Palm Beach County Survey Division to review. Electronic submittals with a certified digital signature are preferred, however, paper copies are also acceptable. When submitting paper copies, please provide two (2) signed and sealed originals. The final approved version of the legal description and sketch will need to be attached to the signed conveyance document.

Provide a signed and sealed Boundary Survey or Specific Purpose Survey (no older than 60 days) (minimum 24" x 36") in accordance with the following:

- current standards of practice and all County requirements
- identification of all easements/encumbrances per title commitment in tabular form and their current disposition (eg. plotted, not plotted, blanket)
- identification of all above ground improvements
- identification of the parcel to be conveyed

Site Plan

Provide a copy of the approved Site Plan (minimum 11" x 17") with the parcel highlighted.

Provide a copy of the proposed plat (minimum 11" x 17") with the parcel highlighted. If a new plat is being filed, the plat should be at the Technical Compliance (TC) level. If available, a copy of the TC notification can be submitted with the application. Submittals prior to TC may be subject to revisions on the proposed plat, which can require the applicant to provide an updated legal description and sketch, title commitment, and additional staff review time may be required.

Provide a title commitment with an effective date no older than thirty (30) days from the official submittal date. Include Palm Beach County, a political subdivision of the State of Florida, as the proposed insured and a minimum value of \$25,000.

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The insured value (for larger parcels above the minimum threshold of \$25,000) should be based upon the sq. ft. calculation of the most recent sale of the parent / adjacent tract or the current land value shown on the Palm Beach County Property Appraiser's website, whichever is higher.

Insured Value Example:

The subject parcel being submitted for review is 12,631 sq. ft. The most recent sale of the parent tract is \$4,170,000 for 3.57 acres. This equates to \$1,168,067 per acre or \$26.815 per sq. ft. When you multiply the size of the subject parcel (12,631 x 26.815) it comes to approximately \$338,700. This is the amount required for title insurance purposes.

Title Commitment

A "marked-up" title commitment will need to be provided prior to closing. A title policy will need to be issued to Palm Beach County within thirty (30) days after closing. There shall be no encumbrances on the subject property (e.g. including but not limited to easements, conflicting improvements, utilities, etc...) that could affect the function of the conveyance. Copies of any encumbrance documents shown on Schedule B-II must be provided.

If there are any mortgages on subject property, a partial release will need to be obtained by the applicant. *Any title exceptions require prior approval.*

All electronic submittals of copies of Schedule B-II title exceptions must be individually named with the corresponding recording information.

Taxes

Applicant will be required to order a tax proration from the Tax Collector at pbtaxcorrections@pbctax.com after the legal description(s) and sketch(es) have been reviewed and approved by the Palm Beach County staff. A separate check payable to Tax Collector Palm Beach County must be submitted to the address below prior to closing based upon the pro-rated real estate tax amount.

Final Documents

The County will prepare the requested document and provide any comments, typically within 30 days, after a complete package of the aforementioned items have been provided.

The Requested Document should be fully executed and an unrecorded ORIGINAL returned to the County for acceptance by the Deputy County Engineer.

Owner(s) must sign their name(s) exactly as shown in the spaces provided on the Requested Document. Owner(s) signatures must be notarized by a Notary Public in good standing.

Two witnesses must sign their names and type or print their name(s) and addresses in the space provided on the Requested Document. The Notary Public may also sign as one of the two required witnesses.

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Closing

Upon approval of all the documents, and confirmation of the tax pro-ratio amount, a mutually agreeable closing date will be established. If needed, a closing statement will be prepared by the County and sent for review and signature.

The signing of the closing statement (the “closing”) can be held at Roadway Production Division (or the Title Company’s location) or the executed Closing Statement and tax pro-ratio check may be mailed to the address below.

Submittals

Electronic submittals are preferred, however, paper submittals are also acceptable. The above information should be submitted either electronically to tsharp@pbc.gov or hard copies delivered to:

Palm Beach County Engineering & Public Works Department
Roadway Production Division
Attn: Toni E. Sharp, Manager, Right-of-Way Section
2300 North Jog Road, 3rd FL. West
West Palm Beach, FL 33411-2750

Should you have any questions, please contact the Right-of Way Section at (561) 684-4150.