



## Village Royale (Tuttle) ROW/Easement Abandonments

## STAFF REPORT

### Petition Number(s)/Types:

- |                       |                |
|-----------------------|----------------|
| 1. Projdox VCA20-0002 | } Abandonments |
| 2. Projdox VCA20-0003 |                |
| 3. Projdox VCA20-0004 |                |

### Request:

This request is to abandon two (2) Acme Improvement District (AID) Rights-of-Way (ROW), and easements reserved for water mains and force mains, including a lift station. The subject sites are not located within the Wellington municipal boundary and are within an area being developed as a mixed-use project, known as Village Royale, by Tuttle Development (NEM, LLC).

### Resolutions:

- Acme Resolution No. AC2021-04
- Acme Resolution No. AC2021-05
- Wellington Resolution No. R2021-16

### Property Owner(s):

NEM, LLC  
2240 W. Woolbright Road, #403  
Boynton Beach, Florida 33426

### Agent(s):

Jeff Evans  
Evans Land Consulting  
1440 SW 20 Street  
Boca Raton, Florida 33486

### Project Manager:

Cory Lyn Cramer, AICP  
Planning and Zoning Manager  
[Ccramer@wellingtonfl.gov](mailto:Ccramer@wellingtonfl.gov)  
(561) 791-4012

### Location Map:



### Future Land Use Designation (FLUM):

Royal Palm Beach: Multi-Family (MF)

### Zoning Designation:

Royal Palm Beach: RM-18

### Acreage of Area to be Vacated:

- |                |                      |
|----------------|----------------------|
| 1. 1.002 acres | } 3.25 total acreage |
| 2. 0.098 acres |                      |
| 3. 2.15 acres  |                      |

| Adjacent Property | FLUM     | Zoning     |
|-------------------|----------|------------|
| North             | RPB - MF | RPB – RM18 |
| South             | RPB - MF | RPB – RM18 |
| East              | RPB - MF | RPB – RM18 |
| West              | RPB - MF | RPB – RM18 |

### **Site History and Current Request:**

Village Royale is a 153-acre project located in Royal Palm Beach. The project's master developer is Tuttle Development (NEM, LL). The project is currently going through the platting process with Royal Palm Beach. A resolution was recently adopted, by Wellington, accepting the dedication language as it related to Wellington/Acme and authorizes the Utilities Director and Mayor to sign the plat when Royal Palm Beach is ready to record it.

This request is a three-part request to vacate and abandon ROW and easements for utility purposes currently belonging to, or dedicated to, Acme Improvement District and the Village of Wellington.

The first two parts of this request involve two (2) ROWs, totaling approximately 1.1 acres. The ROWs are not located within the municipal boundary of Wellington and were reserved for Acme Improvement District prior to the incorporation of Wellington. Acme improvement District no longer needs the ROWs in this request. The subject sites are within the boundary of the Village Royale, a Tuttle project, which is within the municipal boundary of Royal Palm Beach. The area is also within Acme Improvement District Service Boundary and although Village of Wellington Utility Department will continue to service this project, the specific ROWs are not needed to provide utility services to the project.

The third part of the request is to provide consent to terminate the Village's interest in a 10-foot wide utility easement dedicated in favor of RD Royal Palm Beach, LLC, from TLH-20 Huges, LLC, for water and wastewater lines and a 1,225 square foot area dedicated for a lift station. The lift station is existing and will remain. Separate recorded easements exist that cover the lift station and all existing water and sewer infrastructure. New water and wastewater lines are, and will continue to be, constructed for Village Royale. They will be located in alternative easements that are provided on the Village Royale Plat. The Plat has been reviewed for technical compliance. The Utilities Director obtained a Resolution authorizing the Mayor to sign the plat on behalf of Acme and/or Wellington. The plat will be approved and recorded by the Village of Royal Palm Beach.

The easement conditions require that the Grantee's property be connected to public water and sewer to the satisfaction of the Village of Wellington prior to termination of the easement. The existing easements are no longer needed by the Village of Wellington and the termination of Wellington's interest in this easement will allow the grantee to formally terminate the Utility easement. This will ensure clear title on the properties and will provide consistency of record between the plat and what is actually in the ground.

### **ANALYSIS:**

The Wellington Code of Ordinances Chapter 54, Section 54(b) "Petitions for abandonment of rights-of-way and easements for utility, drainage or maintenance purposes", allows a property owner to petition Wellington to abandon, vacate, discontinue or close any existing ROWs and/or easements following Wellington's prescribed application. Subsection 54-64 expressly permits but does not require Acme to utilize the procedures in Chapter 54. The areas of abandonment are unused Acme rights-of-way and easements; and, because Acme is utilizing the procedures in Chapter 54, it therefore, requires mailing to all property owners within 300 feet of the subject property, a public hearing, two (2) legal ads, and a notice of intent to abandon and notice of abandonment, through local newspaper publication.

The Legal Department has reviewed the application documents and determined that they are legally sufficient. The area was conveyed by plat to the Acme Improvement District, and as such, the resolutions are proposed for adoption by Acme Board of Supervisors and Wellington.

**RECOMMENDATION:**

Approval of Resolutions AC2021-04, AC2021-05, and R2021-16 to abandon two (2) remnant Acme Improvement District Rights-of-Way and Easements dedicated for water/wastewater main lines and a lift station, located within the boundary of Village Royale, a Tuttle project, in Royal Palm Beach.

**Exhibits:**

- Staff Report Exhibit A: Master Plan for Village Royal
- Staff Report Exhibit B: Proposed Plat