

ROAD MAINTENANCE AGREEMENT!

P
Clerk & Comptroller



July 12, 2012

Department of Engineering
and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4060
www.pbcgov.com

Ronald Jacobson
6010 Las Colinas Circle
Lake Worth, Florida 33463

SUBJECT: WINSTON TRAILS PLAT ONE AND PARCEL SIX

Dear Mr. Jacobson,

Thank you for your letter dated July 2, 2012, questioning the maintenance responsibility for the sidewalks within the subject plats.

Street tracts within **Winston Trails Plat One** were originally dedicated to Palm Beach County per Plat Book 71, Pages 28-32 in August 1993. However, in July 1996 the County renounced and disclaimed any public interest in the tracts via Resolution 96-631 as recorded in O.R.B. 9306, Page 1767. Per the resolution Joshua A. Muss agreed to maintain the roads until subsequently deeded by Mr. Muss to the Winston Trails Foundation, Inc. per O.R.B. 9329, Page 386.

Your letter further mentions Plat Book 76, Pages 168-171, which is **Winston Trails Parcel Six**, whereon Tract A is reserved to the Las Colinas Village Neighborhood Association, Inc for private street purposes.

Notwithstanding any transfer of the maintenance obligation per the recorded property/homeowner association documents or any other private agreement(s), the improvements within the roadway tracts are the responsibility of the association(s).

If you have any questions, please contact me at 684-4090.

Sincerely,

A handwritten signature in cursive script that reads "Joanne M. Koerner".

Joanne M. Koerner, P.E., Director
Land Development Division

JMK:GFM

ref: 587-012gm1mis

"An Equal Opportunity
Affirmative Action Employer"

PLEASE RECORD AND RETURN ORIGINAL
INTER-OFFICE TO: ENGINEERING
DEPT./LAND DEVELOPMENT DIV., 160
AUSTRALIAN AVE., BLDG. 2, RM. 302,
WPB

JUN-13-1996 11:28am 56-205750

ORB 9306 Pg 1767

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RESOLUTION NO. R-96- 631

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RENOUNCING AND DISCLAIMING ANY PUBLIC INTEREST IN WINSTON TRAILS BOULEVARD, HATTERAS CLUB DRIVE, FLORIDIAN CIRCLE, BRIDGEPORT LANE, KEMPER LAKES DRIVE, DORNICH LANE, ROYAL BIRKDALE DRIVE AND SHINNECOCK LANE, WITHIN THE PLAT OF WINSTON TRAILS PLAT ONE, AS RECORDED IN PLAT BOOK 71, PAGES 28-32, WINSTON TRAILS PARCEL TWO, AS RECORDED IN PLAT BOOK 72, PAGES 165-168, WINSTON TRAILS PARCEL SEVEN, AS RECORDED IN PLAT BOOK 73, PAGES 44-46, WINSTON TRAILS BOULEVARD PHASE II, AS RECORDED IN PLAT BOOK 74, PAGES 53-54 AND WINSTON TRAILS BOULEVARD PHASE III, AS RECORDED IN PLAT BOOK 76, PAGES 179-180 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Section 336.09, Florida Statutes, and Ordinance No. 86-18 known as the Palm Beach County Right-of-Way Abandonment and Plat Vacation Ordinance, and the petition of Joshua A. Muss, Trustee, called a public hearing to be held in the County Commissioners' Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on April 16, 1996, which was postponed until May 21, 1996, to consider and determine whether or not Palm Beach County would renounce and disclaim any right or interest of the County to Winston Trails Boulevard, Hatteras Club Drive, Floridian Circle, Bridgeport Lane, Kemper Lakes Drive, Dornich Lane, Royal Birkdale Drive and Shinnecock Lane; and

WHEREAS, Joshua A. Muss, Trustee has agreed to maintain these roads until May 21, 1999 (36 months) at no cost to the residents of Winston Trails; and

WHEREAS, Joshua A. Muss, Trustee has agreed to conduct a joint inspection of these roads on or after May 21, 1999 with the Developer's engineer, the County Engineer and/or his authorized representative, and if necessary, a third party consulting engineer, to determine if the roads are in good working order and identify any deficiencies which will be repaired by Joshua A. Muss, Trustee at no cost to the residents of Winston Trails; and

RESOLUTION NO. R-96- 631

WHEREAS, in accordance with Ordinance No. 86-18, notice of the holding of such meeting was duly published in the Palm Beach Post on March 26, 1996; and

WHEREAS, this Board did hold said hearing as advertised and determined that such action will not materially interfere with the County Road System and will not deprive any person of a reasonable means of ingress and egress from at least one County, State or Federal highway.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby reaffirmed and ratified.
2. The Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to these roads, more fully described in the legal description and sketch attached hereto and made a part hereof.
3. Notice of the adoption of this Resolution shall be published once in the Palm Beach Post within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10, Florida Statutes and Ordinance No. 86-18.

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The foregoing Resolution was offered by Commissioner Aaronson, who moved its adoption. To the motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

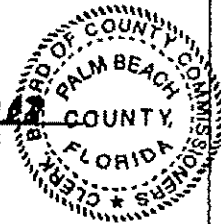
- KEN FOSTER, CHAIRMAN - Aye
- BURT AARONSON, VICE CHAIRMAN - Aye
- MAUDE FORD LEE - Aye
- KAREN T. MARCUS - Aye
- MARY McCARTY - Aye
- WARREN H. NEWELL - Aye
- CAROL A. ROBERTS - Absent

The Chairman thereupon declared the Resolution duly passed and adopted this 21 day of May, 1996.

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

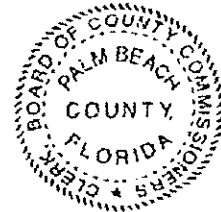
DOROTHY H. WILKEN, Clerk

BY: *Quinn R. Flores*
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: *Paul F. King*
County Attorney



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, as the Clerk of the Board of County Commissioners hereby certify to be a true and correct copy of the original as in my office on 5-21-96
DATED at West Palm Beach, FL on 5-30-96
DOROTHY H. WILKEN, Clerk
BY: *Quinn R. Flores* D.C.

This is not a certified copy