

1 **AMENDED RESOLUTION NO. R2022-62**

2
3 **A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL**
4 **ABANDONING A 19.93-FOOT-LONG PORTION OF A 5-**
5 **FOOT-WIDE LIMITED ACCESS EASEMENT, TOTALING**
6 **APPROXIMATELY 99.50 SQUARE FEET, LOCATED**
7 **WITHIN LOT 6 OF WINDING TRAILS WELLINGTON (2680**
8 **AERO CLUB DRIVE) AND REINSTATING A 28.45-FOOT-**
9 **LONG PORTION OF A 5-FOOT-WIDE LIMITED ACCESS**
10 **EASEMENT, TOTALING APPROXIMATELY 142.0 SQUARE**
11 **FEET, LOCATED WITHIN LOT 6 OF WINDING TRAILS**
12 **WELLINGTON (2680 AERO CLUB DRIVE), AS MORE**
13 **SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING**
14 **AN EFFECTIVE DATE.**
15

16 **WHEREAS**, on October 11, 2022, the Wellington Council, pursuant to Chapter
17 54, Code of Ordinances, known as Wellington's Right-of-Way Abandonment
18 Ordinance¹, passed and adopted Resolution No. R2022-62, abandoning a 28.45-foot-
19 long portion of a 5-foot-wide Limited Access Easement, totaling approximately 142.0
20 square feet, located at 2680 Aero Club Drive, a single family residential property located
21 in the Winding Trails subdivision, hereinafter described as the "Original Easement" and
22 depicted on the Sketch and Description attached as Exhibit A to Resolution No. R2022-
23 62; and
24

25 **WHEREAS**, the petition to abandon said Original Easement within the property
26 was submitted by Cotleur and Hearing, agent, on behalf of Bonnie and Nophar Silver,
27 owners; and
28

29 **WHEREAS**, the petition complied with the terms and conditions of the vacation
30 as set forth in what was then Chapter 54 of the Code of Ordinances; and
31

32 **WHEREAS**, the abandonment of the Original Easement was approved by the
33 Wellington Council to facilitate the installation of an additional driveway along Aero Club
34 Drive to Lot 6 of Winding Trails as indicated in the Master Plan Amendment (Resolution
35 No. R2022-47) that was also approved by the Wellington Council on October 11, 2022;
36 and
37

38 **WHEREAS**, Wellington seeks to relocate the additional driveway slightly north to
39 avoid Wellington-maintained landscaping on Aero Club Drive; and
40

41 **WHEREAS**, the Wellington Council now desires to reinstate the Original
42 Easement that was abandoned pursuant to Resolution No. R2022-62 and to instead
43 abandon a separate 19.93-foot-long portion of the 5-foot-wide Limited Access
44 Easement, totaling approximately 99.50 square feet, located at 2680 Aero Club Drive,
45 hereinafter described as the "New Easement" and depicted on the Sketch and
46 Description attached as Exhibit 1 to this Amended Resolution No. R2022-62, to allow for
47 the relocation of the driveway.
48

49 **NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S**

1 Chapter 54 of the Code of Ordinances has since been repealed in its entirety and amended and renumbered as Chapter 20, Code of Ordinances.

COUNCIL that:

SECTION 1. The foregoing recitals are hereby affirmed and ratified.

SECTION 2. Resolution No. R2022-62 is hereby amended and superseded by this Amended Resolution No. R2022-62.

SECTION 3. The 28.45-foot-long portion of the 5-foot-wide Limited Access Easement totaling approximately 142.0 square feet (Original Easement), as illustrated on the Sketch and Description attached as Exhibit A to Resolution No. R2022-62 is hereby reinstated.

SECTION 4. The 19.93-foot-long portion of the 5-foot-wide Limited Access Easement totaling approximately 99.50 square feet (New Easement), is hereby abandoned and closed, and the Wellington Council does hereby renounce and disclaim any right or interest of Wellington and the public, in the portion of the New Easement illustrated on the Sketch and Description attached hereto as Exhibit 1.

SECTION 5. All conditions precedent to the adoption of this Resolution have been satisfied.

SECTION 6. A certified copy of this Resolution shall be recorded in the public records in accordance with Chapter 20, Code of Ordinances.

SECTION 7. The provisions of this Resolution shall become effective immediately upon adoption.

SECTION 8. The Wellington Council's determination of whether to approve the petition, being a legislative determination, is final and binding and is not subject to appeal or judicial review.

PASSED AND ADOPTED this _____ day of _____, 2025.

ATTEST:

WELLINGTON

By: _____
Chevelle D. Hall, MMC, Village Clerk

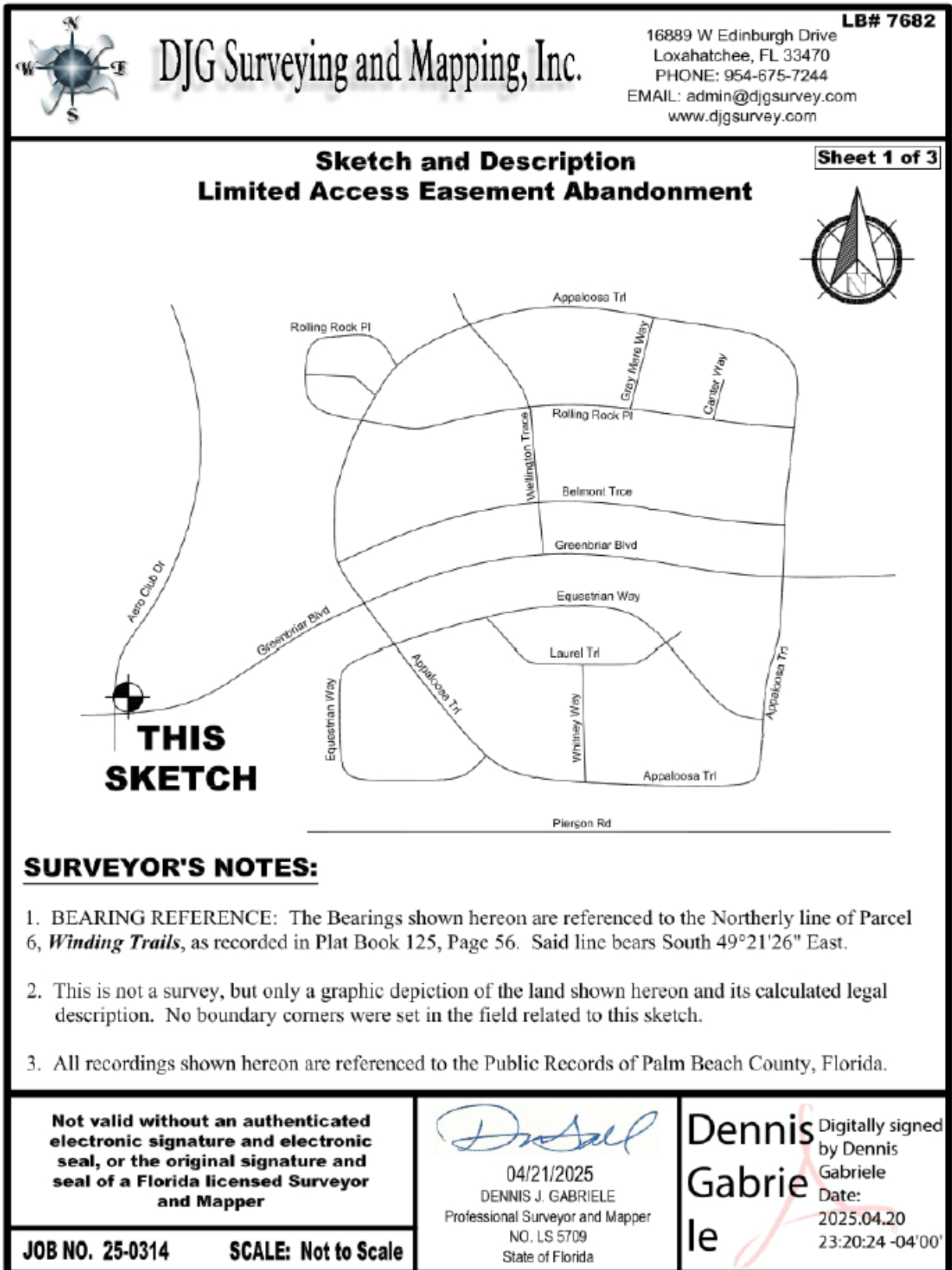
By: _____
Michael J. Napoleone, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Laurie S. Cohen, Village Attorney

98
99

Exhibit 1 – Limited Access Easement Sketch and Description



100
101



DJG Surveying and Mapping, Inc.

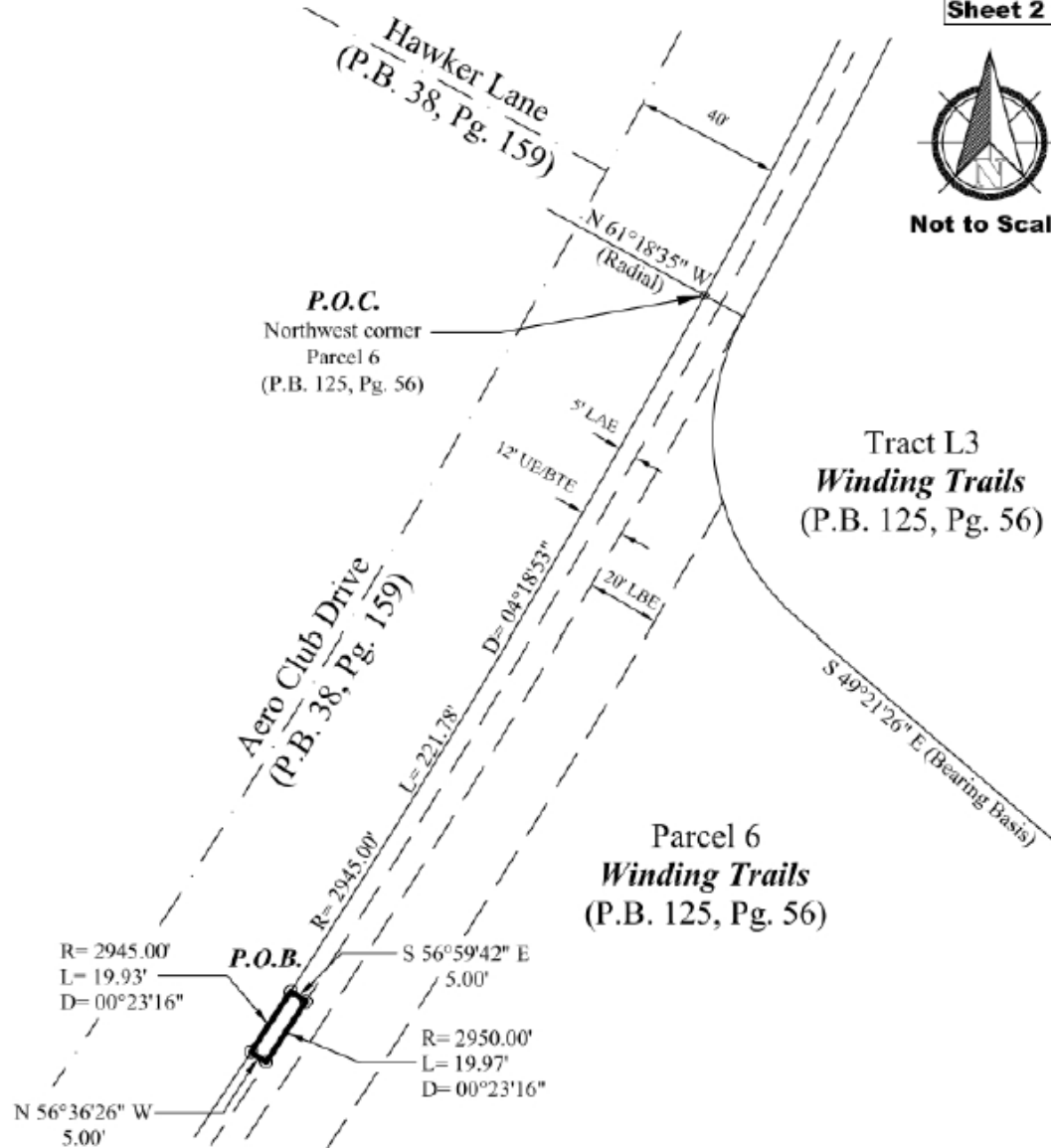
16889 W Edinburg Drive
Loxahatchee, FL 33470
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EMAIL: admin@djgsurvey.com
www.djgsurvey.com

LB# 7682

Sheet 2 of 3



Not to Scale



Legend

P.O.B. = Point of Beginning
P.O.C. = Point of Commencement
LAE = Limited Access Easement
P.B. = Plat Book
Pg. = Page

UE = Utility Easement
R = Radius
L = Arc Length
D = Delta (Central Angle)
BTE = Bridle Trail Easement
LBE = Landscape Buffer Easement



LEGAL DESCRIPTION

A portion of Parcel 6, *Winding Trails*, according to the plat thereof, as recorded in Plat Book 125, Page 56, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of said Parcel 6, said point being on the arc of a circular curve, concave to the Northwest, having a radius of 2945.00 feet and a central angle of $04^{\circ}18'53''$. A radial line bears from said point North $61^{\circ}18'35''$ West;

Thence, Southwesterly along the arc of said curve, an arc distance of 221.78 feet to the **Point of Beginning**;

Thence, South $56^{\circ}59'42''$ East, radially, a distance of 5.00 feet to a point on the arc of a circular curve, concave to the Northwest, having a radius of 2950.00 feet and a central angle of $00^{\circ}23'16''$;

Thence, Southwesterly along the arc of said curve, an arc distance of 19.97 feet;

Thence, North $56^{\circ}36'26''$ West, a distance of 5.00 feet to a point on the arc of a circular curve, concave to the Northwest, having a radius of 2945.00 feet and a central angle of $00^{\circ}23'16''$;

Thence Northeasterly along the arc of said curve, an arc distance of 19.93 feet to the **Point of Beginning**.

Said lands lying and being in the Village of Wellington, Palm Beach County, Florida, and containing 99.50 square feet, more or less.