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RESOLUTION NO. R2017-24

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO VACATE CERTAIN EASEMENTS WITHIN A PARCEL, KNOWN AS IRON SPRINGS FARMS; TO VACATE A 0.44 ACRE PORTION OF A 10-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED AT 4035 130TH AVENUE SOUTH, MORE SPECIFICALLY DESCRIBED HEREIN; A 0.67 ACRE PORTION OF A 10-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED AT 4107 130TH AVENUE SOUTH, MORE SPECIFICALLY DESCRIBED HEREIN; A 0.67 ACRE PORTION OF A 10-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED AT 4179 130TH AVENUE SOUTH, MORE SPECIFICALLY DESCRIBED HEREIN; A 0.66 ACRE PORTION OF A 10-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED AT 4219 130TH AVENUE SOUTH, MORE SPECIFICALLY DESCRIBED HEREIN; A 0.68 ACRE PORTION OF A 10-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED AT 4280 SOUTH SHORE BOULEVARD, MORE SPECIFICALLY DESCRIBED HEREIN; A 0.68 ACRE PORTION OF A 10-FOOT DRAINAGE, UTILITY AND ROAD EASEMENT LOCATED AT 4220 SOUTH SHORE BOULEVARD, MORE SPECIFICALLY DESCRIBED HEREIN; A 0.61 ACRE PORTION OF A 20-FOOT INGRESS AND EGRESS ACCESS EASEMENT LOCATED AT 4280 SOUTH SHORE BOULEVARD, MORE SPECIFICALLY DESCRIBED HEREIN; AND A 0.21 ACRE PORTION OF A 15-FOOT INGRESS AND EGRESS ACCESS EASEMENT LOCATED AT 4220 SOUTH SHORE BOULEVARD, MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington's Council, as the governing body, pursuant to the authority vested in Chapter 54, Code of Ordinances, known as the Wellington Right-of-Way Abandonment Ordinance, has received a petition for the vacation / abandonment a total of six (6) utility and drainage easements and two (2) ingress/egress access easements that border the six (6) properties within Iron Spring Farms, a 69.17 acre property located on the southeast corner of South Shore Boulevard and 40th Street, hereinafter described as the "easements," and depicted on the Sketch and Description attached hereto as Exhibit 1; and

WHEREAS, the petition to vacate the said easements within the Iron Springs Farms property was submitted by Francisco Gonzalez, Esq., agent, on behalf of the owner of the subject properties, Meinse, LLC; and

WHEREAS, said petition substantially complies with the terms and conditions of the vacation as set forth in Chapter 54, Code of Ordinances.

NOW THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL, that:

Section 1: The foregoing recitals are hereby affirmed and ratified.

1
2 **Section 2:** The following easements are hereby vacated and closed,
3 and the Council does hereby renounce and disclaim any right or interest of
4 Wellington and the public, in the portion of the easements illustrated on the
5 Sketch and Description attached hereto as Exhibit 1 and made part hereof:
6

- 7 a. The 0.44 acre portion of a 10-foot Drainage and Utility Easement located
8 at 4035 130th Avenue South as recorded in Official Record Book 2298,
9 Page 1969 of Palm Beach County, Florida; and
10
11 b. The 0.67 acre portion of a 10-foot Drainage and Utility Easement located
12 at 4107 130th Avenue South as recorded in Official Record Book 2426,
13 Page 363 of Palm Beach County, Florida; and
14
15 c. The 0.67 acre portion of a 10-foot Drainage and Utility Easement located
16 at 4179 130th Avenue South as recorded in Official Record Book 2298,
17 Page 1960 of Palm Beach County, Florida; and
18
19 d. The 0.66 acre portion of a 10-foot Drainage and Utility Easement located
20 at 4219 130th avenue south as recorded in Official Record Book 2262,
21 Page 942 of Palm Beach County, Florida; and
22
23 e. The 0.68 acre portion of a 10-foot Drainage and Utility Easement located
24 at 4280 South Shore Boulevard as recorded in Official Record Book 2298,
25 Page 1957 of Palm Beach County, Florida; and
26
27 f. The 0.68 acre portion of a 10-foot Drainage, Utility and Road Easement
28 located at 4220 South Shore Boulevard as recorded in Official Record
29 Book 4730, Page 1389 of Palm Beach County, Florida; and
30
31 g. The 0.61 acre portion of a 20-foot Ingress and Egress Access Easement
32 located at 4280 South Shore Boulevard as recorded in Official Record
33 Book 17997, Page 1968 of Palm Beach County, Florida; and
34
35 h. The 0.21 acre portion of a 15-foot Ingress and Egress Easement located
36 at 4220 South Shore Boulevard as recorded in Official Record Book 5718,
37 Page 77 and Official Record Book 17363, Page 1264 of Palm Beach
38 County, Florida.
39

40 **Section 3:** Notice of the adoption of this Resolution shall be published
41 once in the Palm Beach Post within thirty (30) days of the date of adoption of this
42 Resolution in accordance with Chapter 54, Code of Ordinances.
43

44 **Section 4:** A certified copy of this Resolution shall be recorded in the
45 public records in accordance with Chapter 54, Code of Ordinances.
46

47 **Section 5:** The provisions of this Resolution shall become effective
48 immediately upon adoption.
49

1 **Section 6:** The Council's determination of whether to approve the
2 petition, being a legislative determination, is final and binding and is not subject
3 to appeal or judicial review.

4
5 **PASSED AND ADOPTED THIS 27th day of June, 2017**

6
7
8 **ATTEST:**

WELLINGTON, FLORIDA

9
10
11 BY: _____
12 Chevelle D. Nubin, Village Clerk

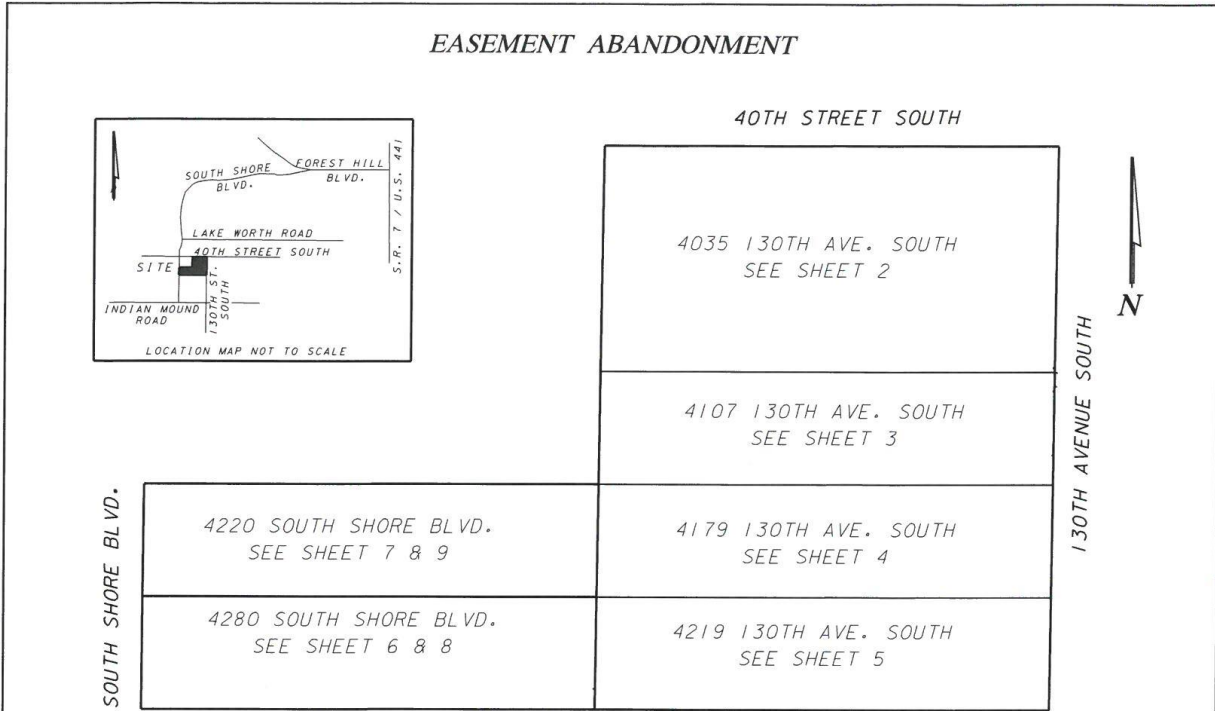
BY: _____
Anne Gerwig, Mayor

13
14
15 **APPROVED AS TO FORM AND**
16 **LEGAL SUFFICIENCY**

17
18
19 BY: _____
20 Laurie Cohen, Village Attorney

21
22
23

Exhibit 1 Legal Description and Sketch of Easement to be Abandoned



KEY MAP

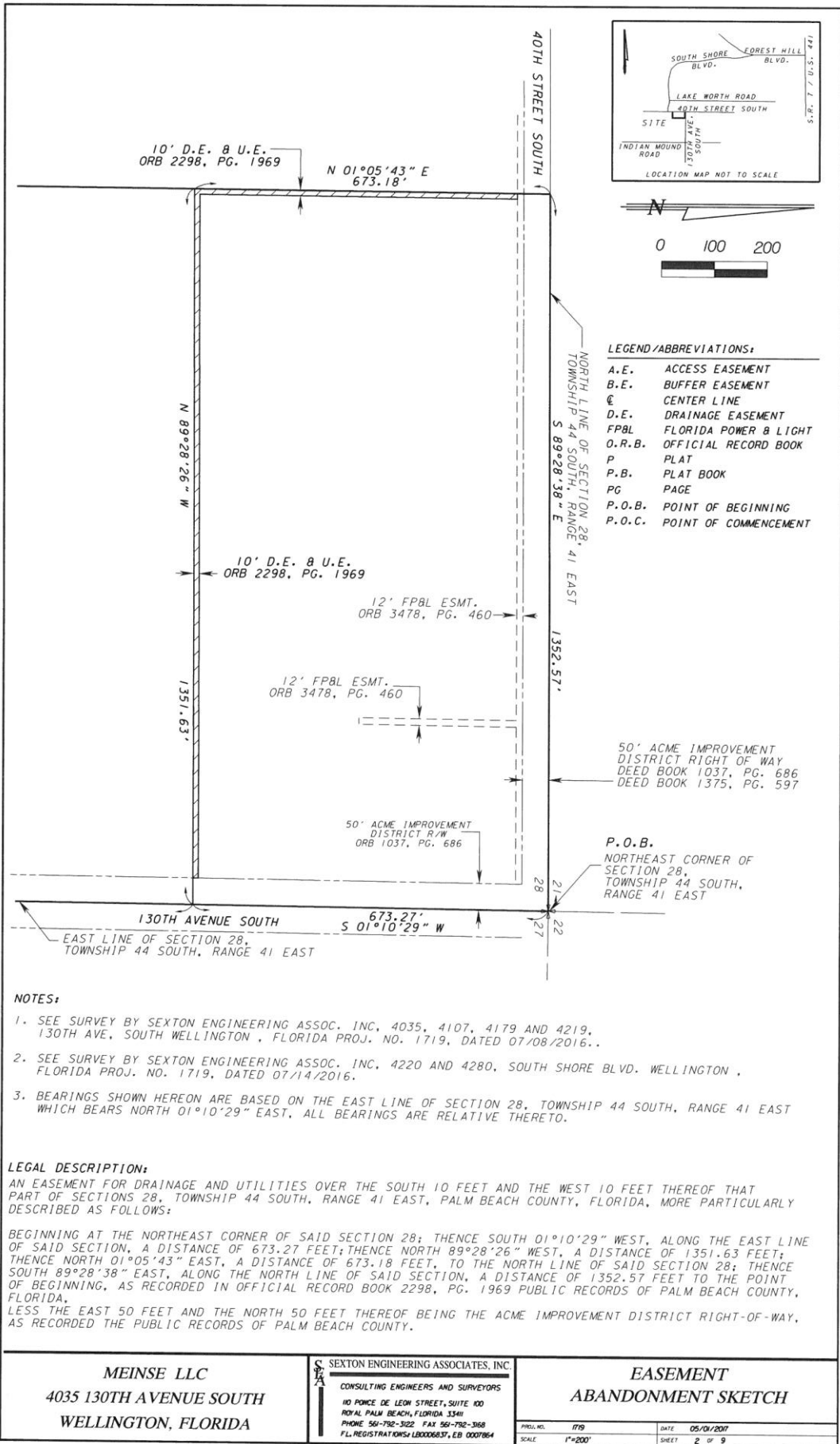
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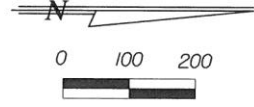
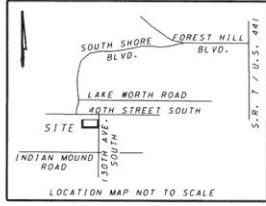
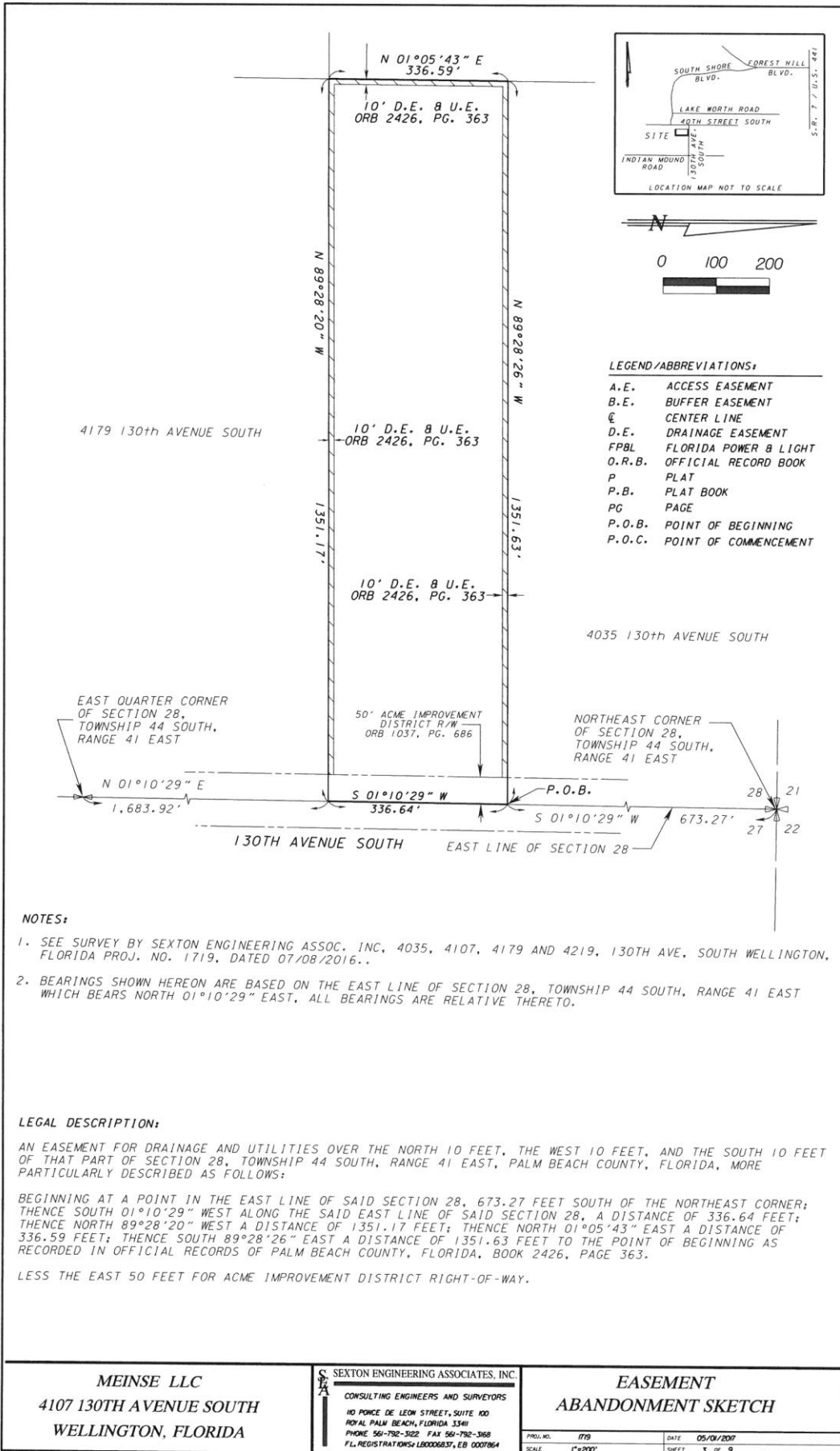
I HEREBY CERTIFY THAT THE ATTACHED DESCRIPTION SKETCHES OF THE HEREON DESCRIBED PROPERTY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THESE DESCRIPTION SKETCHES ARE IN COMPLIANCE WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17-05, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES .

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
 SEXTON ENGINEERING ASSOCIATES INC.
 110 PONCE DE LEON ST., SUITE 100
 ROYAL PALM BEACH, FLORIDA 33411
 L.B. NO. 6837

MICHAEL D. BONIN
 PROFESSIONAL SURVEYOR AND MAPPER
 NO. 4396, STATE OF FLORIDA

<p>MEINSE LLC PROPERTIES EASEMENT ABANDONMENT</p>	<p>S E X T O N</p> <p>SEXTON ENGINEERING ASSOCIATES, INC. CONSULTING ENGINEERS AND SURVEYORS 110 PONCE DE LEON STREET, SUITE 100 ROYAL PALM BEACH, FLORIDA 33411 PHONE 561-792-3122 FAX 561-792-3168 FL. REGISTRATIONS# LB0006837, EB 0007064</p>	<p>KEY SHEET AND CERTIFICATION</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">PROJ. NO. 1719</td> <td style="width: 50%;">DATE 05/01/2017</td> </tr> <tr> <td>SCALE N/A</td> <td>SHEET 1 OF 9</td> </tr> </table>	PROJ. NO. 1719	DATE 05/01/2017	SCALE N/A	SHEET 1 OF 9
PROJ. NO. 1719	DATE 05/01/2017					
SCALE N/A	SHEET 1 OF 9					





LEGEND/ABBREVIATIONS:

A.E.	ACCESS EASEMENT
B.E.	BUFFER EASEMENT
CL	CENTER LINE
D.E.	DRAINAGE EASEMENT
FPBL	FLORIDA POWER & LIGHT
O.R.B.	OFFICIAL RECORD BOOK
P	PLAT
P.B.	PLAT BOOK
PG	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

NOTES:

- SEE SURVEY BY SEXTON ENGINEERING ASSOC. INC, 4035, 4107, 4179 AND 4219, 130TH AVE, SOUTH WELLINGTON, FLORIDA PROJ. NO. 1719, DATED 07/08/2016..
- BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST WHICH BEARS NORTH 01°10'29" EAST, ALL BEARINGS ARE RELATIVE THERETO.

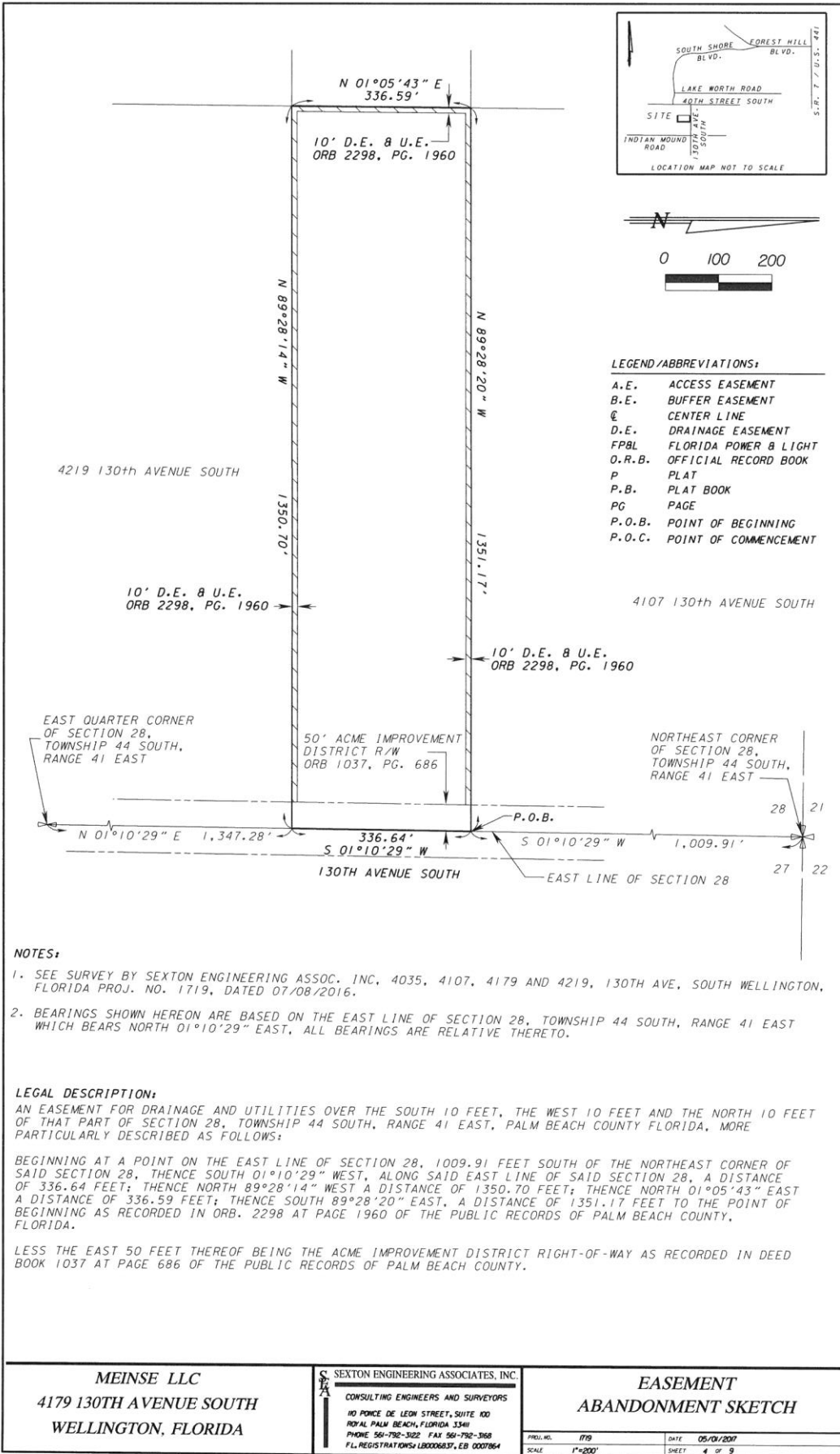
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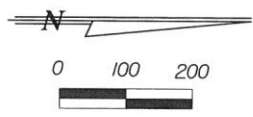
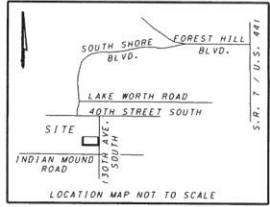
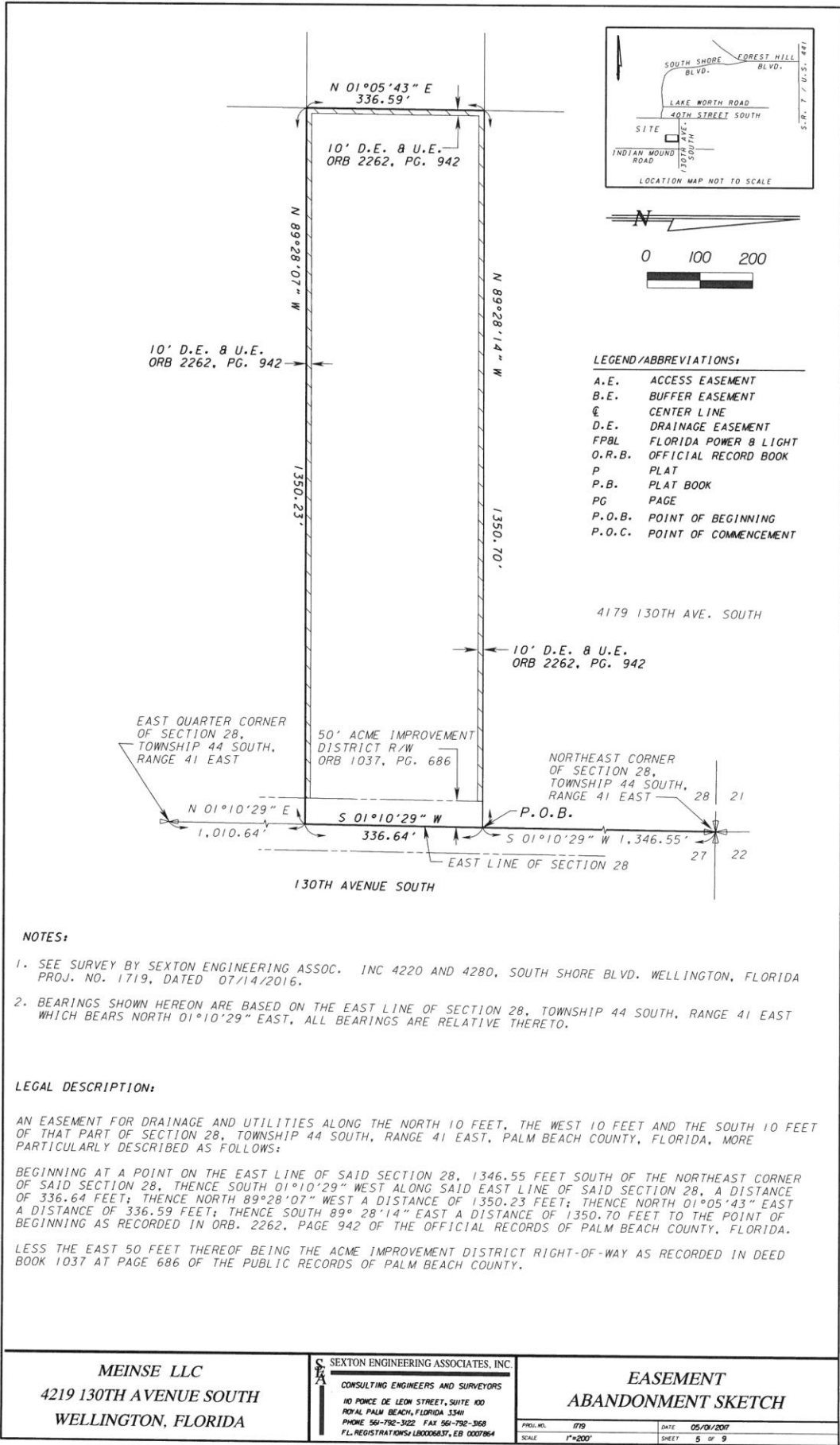
AN EASEMENT FOR DRAINAGE AND UTILITIES OVER THE NORTH 10 FEET, THE WEST 10 FEET, AND THE SOUTH 10 FEET OF THAT PART OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF SAID SECTION 28, 673.27 FEET SOUTH OF THE NORTHEAST CORNER; THENCE SOUTH 01°10'29" WEST ALONG THE SAID EAST LINE OF SAID SECTION 28, A DISTANCE OF 336.64 FEET; THENCE NORTH 89°28'20" WEST A DISTANCE OF 1351.17 FEET; THENCE NORTH 01°05'43" EAST A DISTANCE OF 336.59 FEET; THENCE SOUTH 89°28'26" EAST A DISTANCE OF 1351.63 FEET TO THE POINT OF BEGINNING AS RECORDED IN OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, BOOK 2426, PAGE 363.

LESS THE EAST 50 FEET FOR ACME IMPROVEMENT DISTRICT RIGHT-OF-WAY.

<p>MEINSE LLC 4107 130TH AVENUE SOUTH WELLINGTON, FLORIDA</p>	<p>S E X T O N SEXTON ENGINEERING ASSOCIATES, INC. CONSULTING ENGINEERS AND SURVEYORS 100 PONCE DE LEON STREET, SUITE 100 ROYAL PALM BEACH, FLORIDA 33411 PHONE 561-792-3122 FAX 561-792-3168 FL REGISTRATION# LB0006637, EB 0007864</p>	<p>EASEMENT ABANDONMENT SKETCH</p>	
		<p>PROJ. NO. 1719 SCALE 1"=200'</p>	<p>DATE 05/01/2007 SHEET 3 OF 9</p>





LEGEND/ABBREVIATIONS:

A.E.	ACCESS EASEMENT
B.E.	BUFFER EASEMENT
CL	CENTER LINE
D.E.	DRAINAGE EASEMENT
FPBL	FLORIDA POWER & LIGHT
O.R.B.	OFFICIAL RECORD BOOK
P	PLAT
P.B.	PLAT BOOK
PG	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

NOTES:

1. SEE SURVEY BY SEXTON ENGINEERING ASSOC. INC 4220 AND 4280, SOUTH SHORE BLVD. WELLINGTON, FLORIDA PROJ. NO. 1719, DATED 07/14/2016.
2. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST WHICH BEARS NORTH 01°10'29" EAST, ALL BEARINGS ARE RELATIVE THERETO.

LEGAL DESCRIPTION:

AN EASEMENT FOR DRAINAGE AND UTILITIES ALONG THE NORTH 10 FEET, THE WEST 10 FEET AND THE SOUTH 10 FEET OF THAT PART OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 28, 1346.55 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 28, THENCE SOUTH 01°10'29" WEST ALONG SAID EAST LINE OF SAID SECTION 28, A DISTANCE OF 336.64 FEET; THENCE NORTH 89°28'07" WEST A DISTANCE OF 1350.23 FEET; THENCE NORTH 01°05'43" EAST A DISTANCE OF 336.59 FEET; THENCE SOUTH 89°28'14" EAST A DISTANCE OF 1350.70 FEET TO THE POINT OF BEGINNING AS RECORDED IN ORB. 2262, PAGE 942 OF THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA.

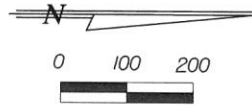
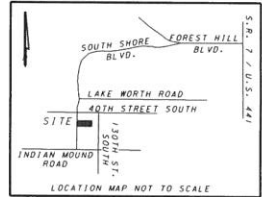
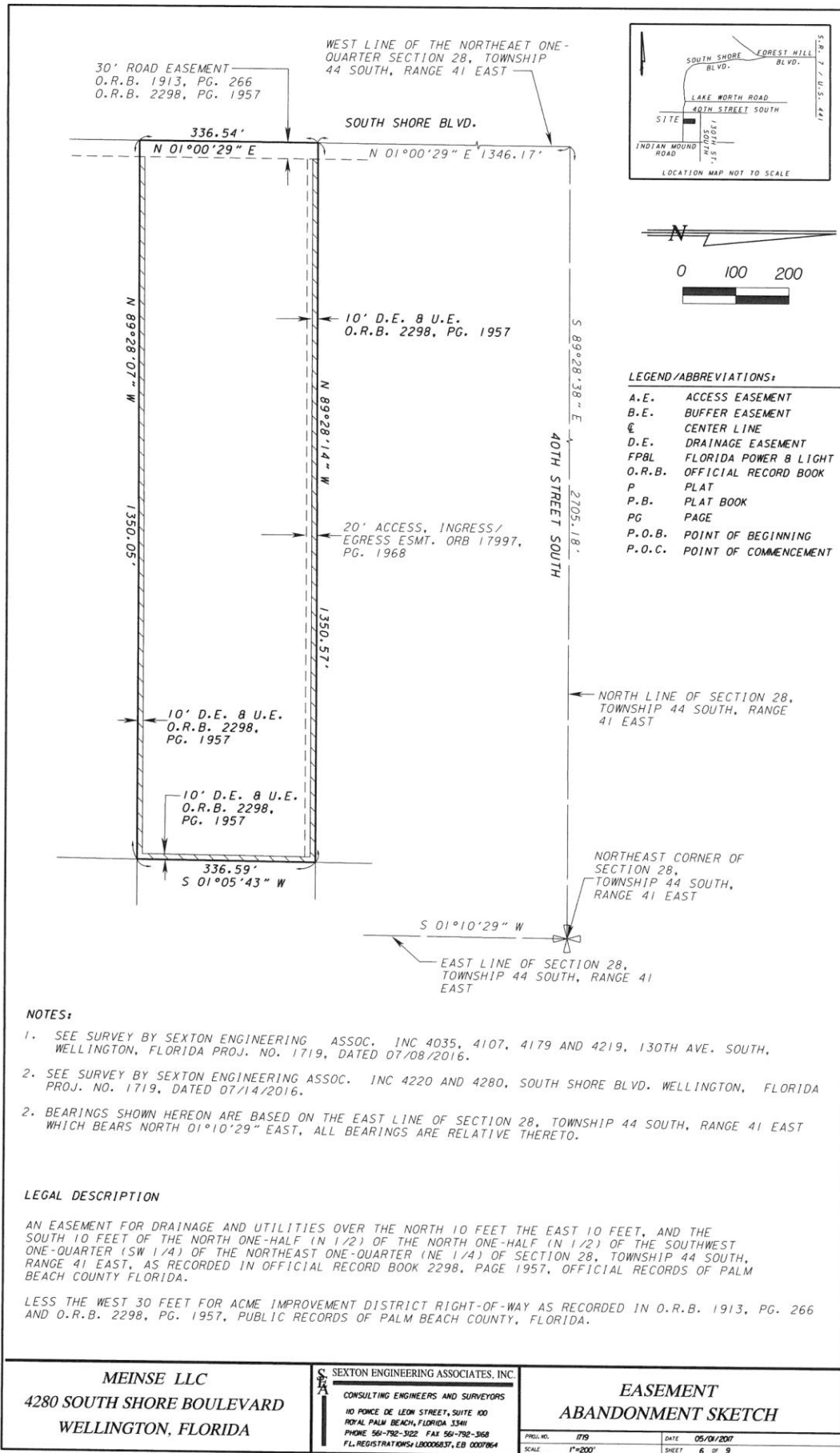
LESS THE EAST 50 FEET THEREOF BEING THE ACME IMPROVEMENT DISTRICT RIGHT-OF-WAY AS RECORDED IN DEED BOOK 1037 AT PAGE 686 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY.

MEINSE LLC
 4219 130TH AVENUE SOUTH
 WELLINGTON, FLORIDA

S SEXTON ENGINEERING ASSOCIATES, INC.
 CONSULTING ENGINEERS AND SURVEYORS
 10 PONCE DE LEON STREET, SUITE 100
 ROYAL PALM BEACH, FLORIDA 33411
 PHONE 561-792-3122 FAX 561-792-3168
 FL REGISTRATIONS: LB0006837, EB 0007864

EASEMENT
ABANDONMENT SKETCH

PROJ. NO.	1719	DATE	05/10/2017
SCALE	1"=200'	SHEET	5 OF 9



LEGEND/ABBREVIATIONS:

A.E.	ACCESS EASEMENT
B.E.	BUFFER EASEMENT
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FPBL	FLORIDA POWER & LIGHT
O.R.B.	OFFICIAL RECORD BOOK
P	PLAT
P.B.	PLAT BOOK
PG	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

NOTES:

- SEE SURVEY BY SEXTON ENGINEERING ASSOC. INC 4035, 4107, 4179 AND 4219, 130TH AVE. SOUTH, WELLINGTON, FLORIDA PROJ. NO. 1719, DATED 07/08/2016.
- SEE SURVEY BY SEXTON ENGINEERING ASSOC. INC 4220 AND 4280, SOUTH SHORE BLVD. WELLINGTON, FLORIDA PROJ. NO. 1719, DATED 07/14/2016.
- BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST WHICH BEARS NORTH 01°10'29" EAST, ALL BEARINGS ARE RELATIVE THERETO.

LEGAL DESCRIPTION

AN EASEMENT FOR DRAINAGE AND UTILITIES OVER THE NORTH 10 FEET THE EAST 10 FEET, AND THE SOUTH 10 FEET OF THE NORTH ONE-HALF (N 1/2) OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 2298, PAGE 1957, OFFICIAL RECORDS OF PALM BEACH COUNTY FLORIDA.

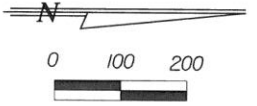
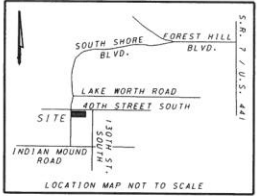
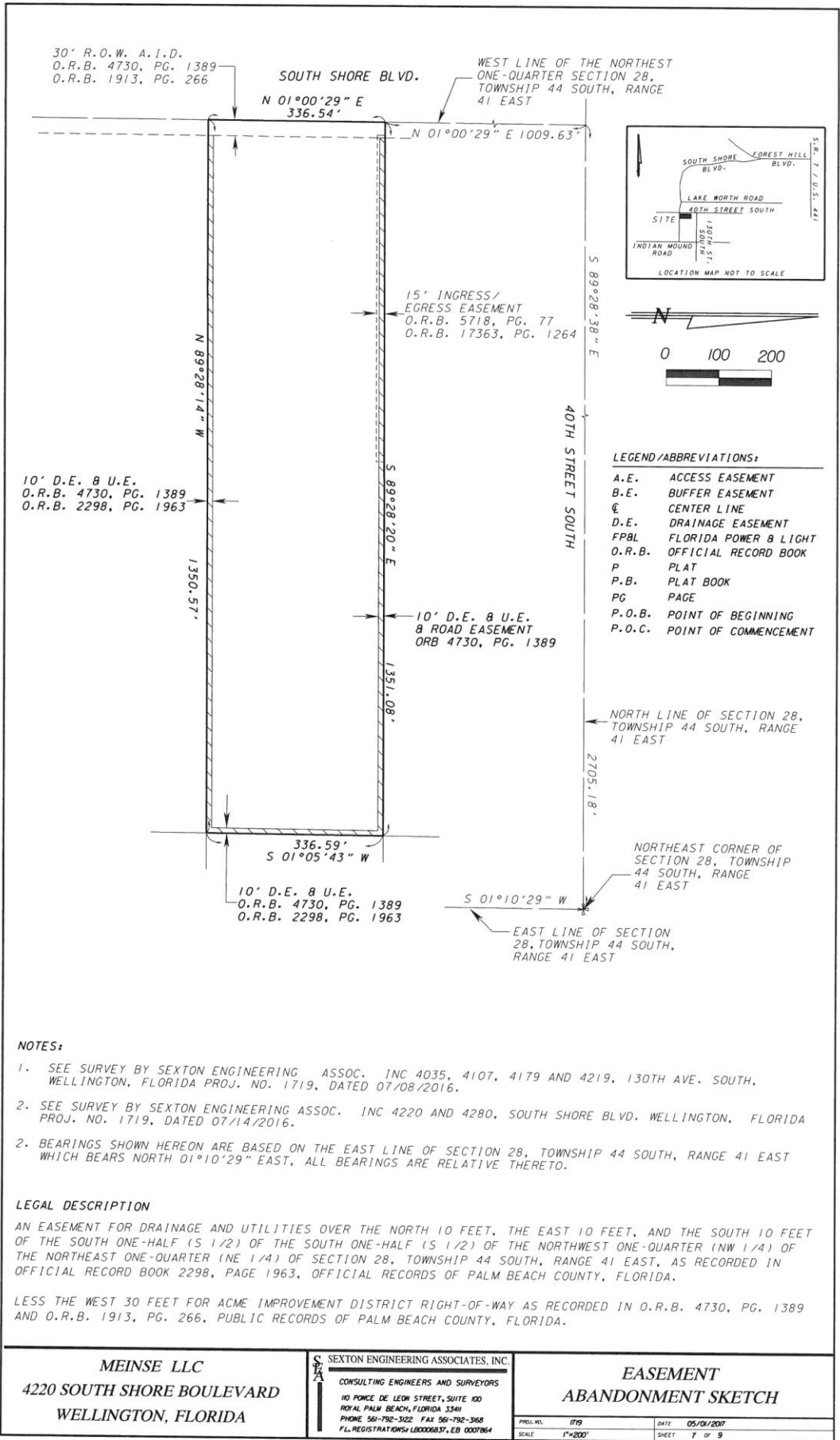
LESS THE WEST 30 FEET FOR ACME IMPROVEMENT DISTRICT RIGHT-OF-WAY AS RECORDED IN O.R.B. 1913, PG. 266 AND O.R.B. 2298, PG. 1957, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MEINSE LLC
 4280 SOUTH SHORE BOULEVARD
 WELLINGTON, FLORIDA

S
EXTON ENGINEERING ASSOCIATES, INC
 CONSULTING ENGINEERS AND SURVEYORS
 110 PONCE DE LEON STREET, SUITE 100
 ROYAL PALM BEACH, FLORIDA 33411
 PHONE 561-792-3122 FAX 561-792-3168
 FL REGISTRATIONS: LB0006837, EB 0007864

**EASEMENT
 ABANDONMENT SKETCH**

PROJ. NO.	1719	DATE	09/19/2007
SCALE	1"=200'	SHEET	6 OF 9



LEGEND/ABBREVIATIONS:

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NOTES:

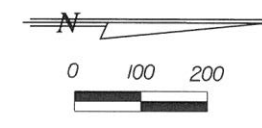
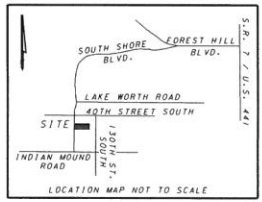
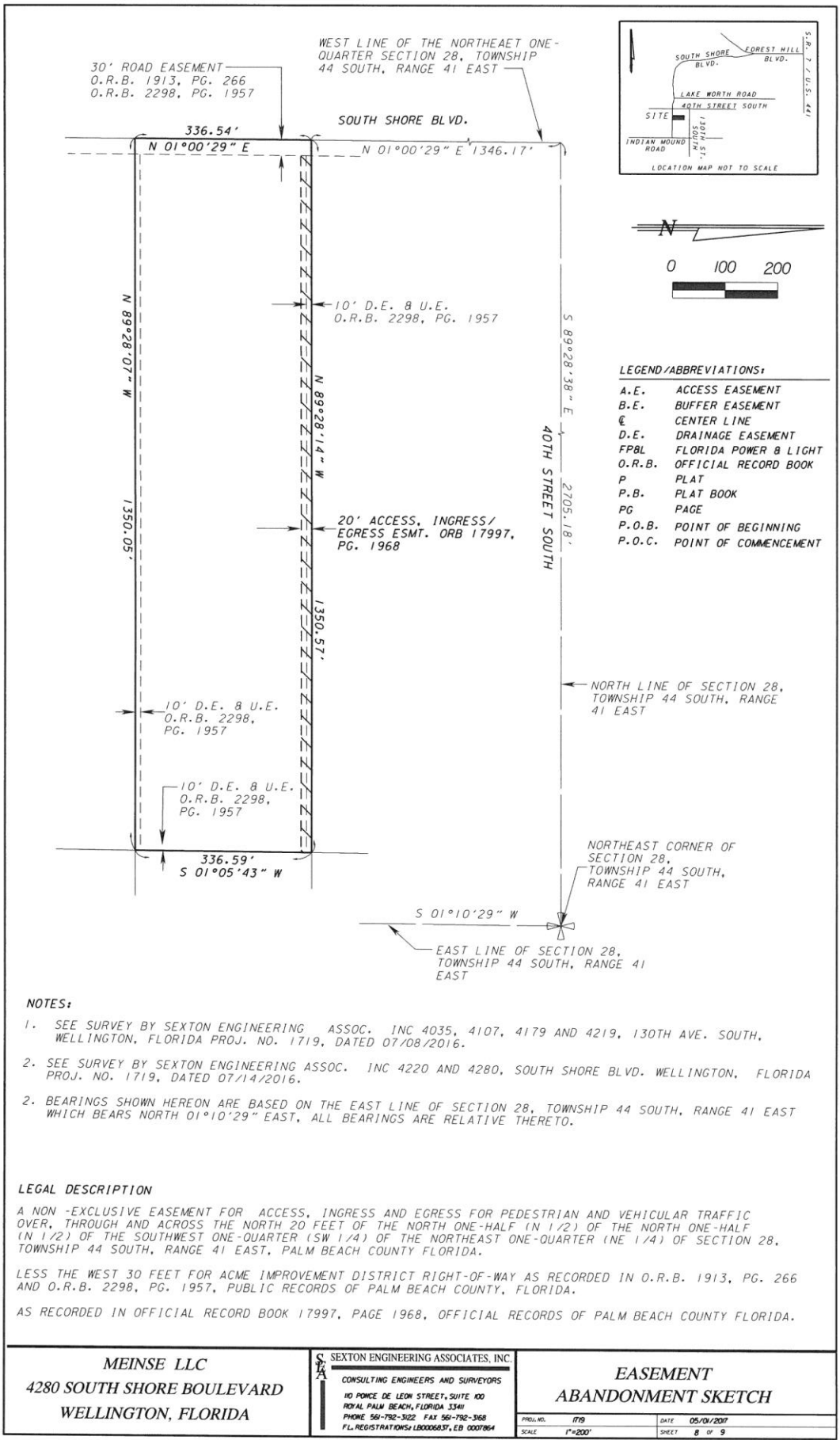
- SEE SURVEY BY SEXTON ENGINEERING ASSOC. INC 4035, 4107, 4179 AND 4219, 130TH AVE. SOUTH, WELLINGTON, FLORIDA PROJ. NO. 1719, DATED 07/08/2016.
- SEE SURVEY BY SEXTON ENGINEERING ASSOC. INC 4220 AND 4280, SOUTH SHORE BLVD. WELLINGTON, FLORIDA PROJ. NO. 1719, DATED 07/14/2016.
- BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST WHICH BEARS NORTH 01°10'29" EAST, ALL BEARINGS ARE RELATIVE THERETO.

LEGAL DESCRIPTION

AN EASEMENT FOR DRAINAGE AND UTILITIES OVER THE NORTH 10 FEET, THE EAST 10 FEET, AND THE SOUTH 10 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 2298, PAGE 1963, OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE WEST 30 FEET FOR ACME IMPROVEMENT DISTRICT RIGHT-OF-WAY AS RECORDED IN O.R.B. 4730, PG. 1389 AND O.R.B. 1913, PG. 266, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

<p>MEINSE LLC 4220 SOUTH SHORE BOULEVARD WELLINGTON, FLORIDA</p>	<p>S E X T O N</p> <p>SEXTON ENGINEERING ASSOCIATES, INC. CONSULTING ENGINEERS AND SURVEYORS 10 PONCE DE LEON STREET, SUITE 100 ROYAL PALM BEACH, FLORIDA 33411 PHONE 561-792-3122 FAX 561-792-3168 FL. REGISTRATIONS: LB0006837, EB. 0007864</p>	<p>EASEMENT ABANDONMENT SKETCH</p> <table border="0" style="width: 100%;"> <tr> <td>PROJ. NO. 1719</td> <td>DATE 05/01/2017</td> </tr> <tr> <td>SCALE 1"=200'</td> <td>SHEET 7 OF 9</td> </tr> </table>	PROJ. NO. 1719	DATE 05/01/2017	SCALE 1"=200'	SHEET 7 OF 9
PROJ. NO. 1719	DATE 05/01/2017					
SCALE 1"=200'	SHEET 7 OF 9					



LEGEND/ABBREVIATIONS:

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- NOTES:**
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 - BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST WHICH BEARS NORTH 01°10'29" EAST, ALL BEARINGS ARE RELATIVE THERETO.

LEGAL DESCRIPTION

A NON -EXCLUSIVE EASEMENT FOR ACCESS, INGRESS AND EGRESS FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER, THROUGH AND ACROSS THE NORTH 20 FEET OF THE NORTH ONE-HALF (N 1/2) OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY FLORIDA.

LESS THE WEST 30 FEET FOR ACME IMPROVEMENT DISTRICT RIGHT-OF-WAY AS RECORDED IN O.R.B. 1913, PG. 266 AND O.R.B. 2298, PG. 1957, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AS RECORDED IN OFFICIAL RECORD BOOK 17997, PAGE 1968, OFFICIAL RECORDS OF PALM BEACH COUNTY FLORIDA.

MEINSE LLC
 4280 SOUTH SHORE BOULEVARD
 WELLINGTON, FLORIDA

SEXTON ENGINEERING ASSOCIATES, INC.
 CONSULTING ENGINEERS AND SURVEYORS
 110 PONCE DE LEON STREET, SUITE 100
 ROYAL PALM BEACH, FLORIDA 33411
 PHONE 561-792-3122 FAX 561-792-3168
 FL REGISTRATIONS: LB0006837, EB 0007864

**EASEMENT
 ABANDONMENT SKETCH**

PROJ. NO.	1719	DATE	05/20/2017
SCALE	1"=200'	SHEET	8 OF 9

