

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

RESOLUTION NO. AC2021-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT ABANDONING A FIVE (5) FOOT PORTION OF A 25 FOOT WIDE MAINTENANCE EASEMENT, TOTALING APPROXIMATELY 400 SQUARE FEET, LOCATED WITHIN LOT 2, BLOCK 13, SUGAR POND MANOR OF WELLINGTON (14318 BLACKBERRY DRIVE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of Acme Improvement District, 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 abandonment of a five (5) foot portion of a 25 foot wide Maintenance Easement, totaling approximately 400 square feet, located at 14318 Blackberry Drive, a single family residential property located in the Sugar Pond subdivision, hereinafter described as the "easement", and depicted on the Sketch and Description attached hereto as Exhibit A; and

WHEREAS, the petition to abandon the said easement within the property was submitted by Michael Totino and Nicole Chao, owners; and

WHEREAS, said petition substantially complies with the terms and conditions for 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.

SECTION 2: The five (5) foot portion of the 25 foot wide Maintenance Easement, totaling approximately 400 square feet, is hereby abandoned and closed, and the Board of Supervisors does hereby renounce and disclaim any right or interest of Acme Improvement District and the public, in the portion of the easement illustrated on the Sketch and Description attached hereto as Exhibit A and made part hereof.

SECTION 3: Notice of Intent to abandon any and all rights or interests was published prior to the Council meeting and a Notice of the Adoption shall be published in the Palm Beach Post within 30 days of the date of adoption of this resolution, in accordance with Chapter 54, Code of Ordinances.

SECTION 4: A certified copy of this Resolution shall be recorded in the public records in accordance with Chapter 54, Code of Ordinances.

SECTION 5: The provisions of this Resolution shall become effective immediately upon adoption.

49 **SECTION 6:** The Board of Supervisor's determination of whether to approve the
50 petition, being a legislative determination, is final and binding and is not subject to
51 appeal or judicial review.

52 **PASSED AND ADOPTED THIS _____ day of _____, 2021**

53
54
55
56 **ATTEST:**

ACME IMPROVEMENT DISTRICT

57
58
59 BY: _____
60 Chevelle D. Addie, MMC, Secretary

BY: _____
Anne Gerwig, President

61
62
63 **APPROVED AS TO FORM AND**
64 **LEGAL SUFFICIENCY**

65
66
67 BY: _____
68 Laurie Cohen, Board Attorney