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RESOLUTION NO. R2017-02

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL,
VACATING A PORTION OF THE 12 FOOT WIDE WATER AND
SEWER EASEMENT, TOTALING APPROXIMATELY 2,253 SQUARE
FEET, LOCATED WITHIN WELLINGTON GREEN MUPD "F"; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Wellington 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 a portion of the 12 foot wide Water and Sewer Easement, totaling approximately 2,253 square feet, located within Wellington Green MUPD "F" (Location Map - Exhibit 1) hereinafter described as the "easement" and depicted on the Sketch and Description attached hereto as Exhibit 2; and

WHEREAS, the petition to vacate said easement was submitted by John T. Doogan, P.L.S., Avirom & Associates, Inc., agent, on behalf of WRI Wellington Green, LLC, owner; 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.

Section 2: A portion of the 12-foot wide Water and Sewer Easement, totaling approximately 2,253 square feet, located within Wellington Green MUPD "F" as recorded in Plat Book 111 on Pages 176 - 186 of the Public Records of Palm Beach County, Florida, is hereby vacated and closed, and the Council does hereby renounce and disclaim any right or interest of Wellington and the Public, in the portion of the easement illustrated on the Sketch and Description attached as Exhibit 2; and made part hereof.

Section 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 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.

Section 6: The 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.

1 **PASSED AND ADOPTED THIS 10th day of January, 2017.**

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4 **ATTEST:**

WELLINGTON, FLORIDA

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7 BY: _____
8 Rachel R. Callovi, Clerk

BY: _____
Anne Gerwig, Mayor

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10

11 **APPROVED AS TO FORM AND**
12 **LEGAL SUFFICIENCY**

13
14

15 BY: _____
16 Laurie Cohen, Village Attorney

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2

Exhibit 1 Location Map



3

Exhibit 2
Sketch and Description of Easement to be Abandoned

SKETCH & DESCRIPTION
EASEMENT VACATION
 A PORTION OF TRACT 'H'
 (P.B. 111, PGS. 176-186, P.B.C.R.)
 VILLAGE OF WELLINGTON

LAND DESCRIPTION:

A portion of Tract 'H', WELLINGTON GREEN, A MUPD/PUD, RE-PLAT NO. 1, according to the Plat thereof as recorded in Plat Book 111, Pages 176 through 186, of the Public Records of Palm Beach County, Florida, being described as follows:

Commence at the northeast corner of said Tract 'H'; thence S07°51'33"W, along the east line of said Tract 'H', a distance of 73.72 feet; thence N87°52'10"W, 177.56 feet to a point on the North line of an existing water and sewer easement according to said Plat, also being the Point Of Beginning; thence continue N87°52'10"W, along the north line of said existing water and sewer easement, 15.89 feet; thence N02°07'50"E, along the east line of said existing water and sewer easement, 7.54 feet; thence N88°06'03"W, 12.00 feet; thence S02°07'50"W, along the west line of said existing water and sewer easement, 84.49 feet; thence S88°35'40"E, 12.00 feet; thence N02°07'50"E, along the east line of said existing water and sewer easement, 61.95 feet; thence S87°52'10"E, along the south line of said existing water and sewer easement, 15.95 feet; thence N01°53'57"E, 15.00 feet to a point on the north line of said existing water and sewer easement, also being the Point Of Beginning.

Said lands lying in Village of Wellington, Palm Beach County, Florida. Containing 1,253 square feet.

SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are relative to said plat, based on the east line of Tract 'H' having a bearing of S07°51'33"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement.

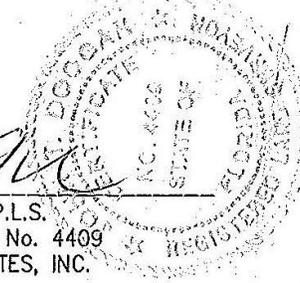
CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/8/2016

**NOT VALID WITHOUT
SHEETS 1 AND 2**

[Signature]
 JOHN T. DOOGAN, P.L.S.
 Florida Registration No. 4409
 AVIROM & ASSOCIATES, INC.
 L.B. No. 3300



REVISIONS
REVISE 12/08/2016



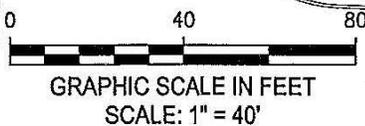
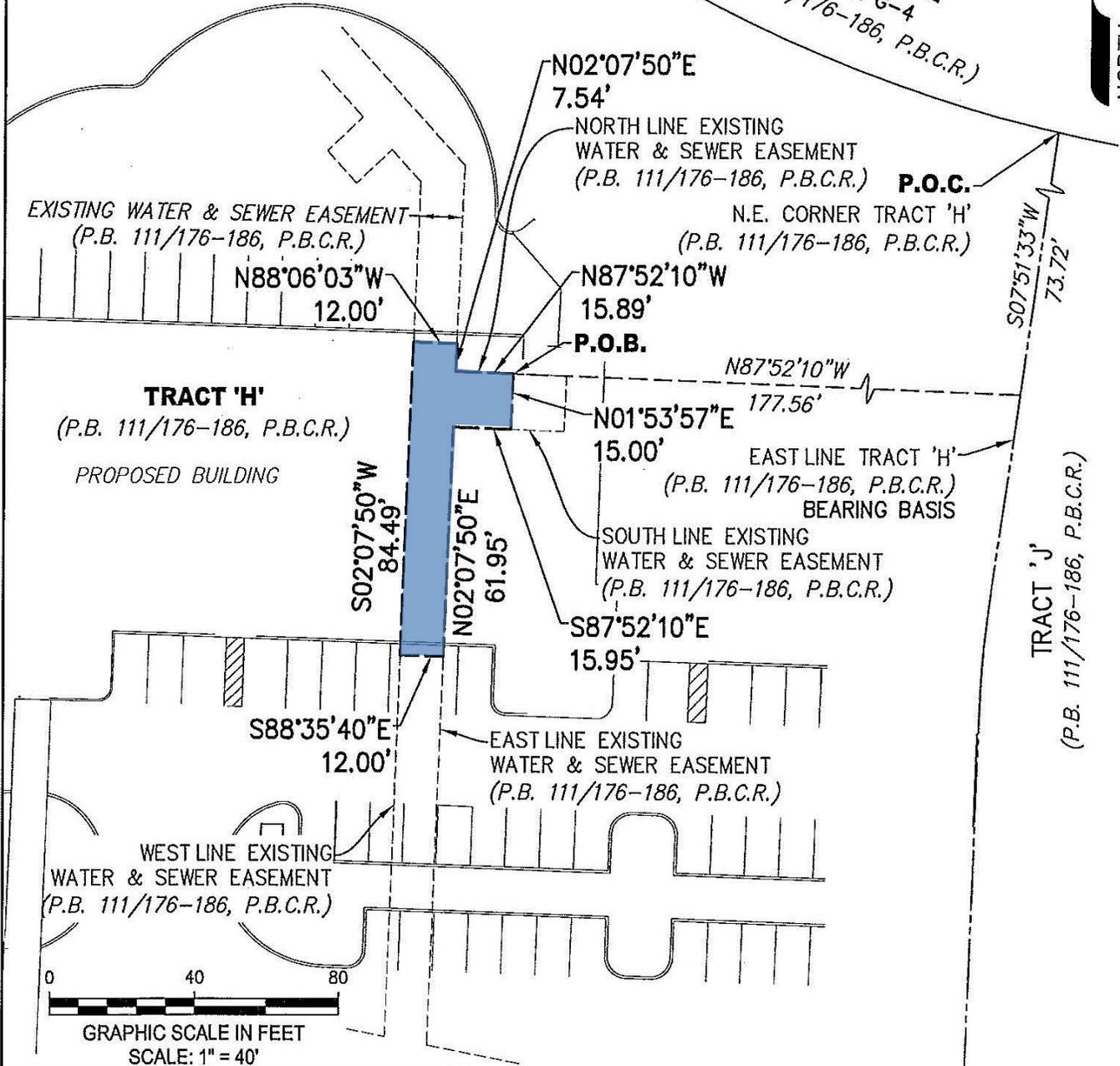
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
 50 S.W. 2nd AVENUE, SUITE 102
 BOCA RATON, FLORIDA 33432
 TEL. (561) 392-2594, FAX (561) 394-7125
 www.AVIROMSURVEY.com
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JOB #:	8503-14_V
SCALE:	-
DATE:	10/25/2016
BY:	W.R.E.
CHECKED:	J.T.D.
F.B. - PG. -	- -
SHEET:	1 OF 2

NOT VALID WITHOUT SHEETS 1 AND 2

**SKETCH & DESCRIPTION
EASEMENT VACATION**
A PORTION OF TRACT 'H'
(P.B. 111, PGS. 176-186, P.B.C.R.)
VILLAGE OF WELLINGTON

LIME DRIVE
PARCEL G-4
(P.B. 111/176-186, P.B.C.R.)



REVISIONS	
REVISE	12/08/2016



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JOB #:	8503-14_V
SCALE:	1" = 40'
DATE:	10/25/2016
BY:	W.R.E.
CHECKED:	J.T.D.
F.B.	- PG. -
SHEET:	2 OF 2