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RESOLUTION NO. R2018-49

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO VACATE A 0.0765 ACRE PORTION OF A 20-FOOT WIDE WATER MAIN EASEMENT LOCATED AT 4150 SOUTH ROAD (GLENSPUR FARMS AKA TONKAWA FARMS), 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 portion of a 20-foot wide water main easement located within Glenspur Farms (AKA Tonkawa Farms), a 60.0 acre property located on the southeast corner of South Road and 40th Street North, hereinafter described as the "easement", and depicted on the Sketch and Description attached hereto as Exhibit A; and

WHEREAS, the petition to vacate the said easements within the Glenspur Farms (AKA Tonkawa Farms) property was submitted by Tad Rowe, P.E., agent, on behalf of the owner of the subject property, South Road Wellington, LP.; 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: The 20-foot wide water main easement, totaling approximately 0.0765 acres, located at 4150 South Road (Glenspur Farms AKA Tonkawa Farms) 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 easements illustrated on the Sketch and Description attached hereto as Exhibit A 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.

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.

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5 **PASSED AND ADOPTED THIS _____ day of _____, 2018**

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8 **ATTEST:**

WELLINGTON, FLORIDA

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11 BY: _____
12 Chevelle D. Nubin, Clerk

BY: _____
 Anne Gerwig, Mayor

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

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19 BY: _____
20 Laurie Cohen, Village Attorney

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Exhibit A

Legal Description and Sketch of Easement to be Abandoned

EXHIBIT "A"

DESCRIPTION:

A PORTION OF THE 20 FOOT WATER MAIN EASEMENT AS SHOWN ON THE PLAT OF TONKAWA FARMS, AS RECORDED IN PLAT BOOK 116, PAGES 69 THROUGH 71 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PARCEL "A" OF SAID PLAT OF TONKAWA FARMS; THENCE, ALONG THE NORTH LINE OF SAID PARCEL "A", SOUTH 89°28'02" EAST, A DISTANCE OF 562.55 FEET; THENCE, DEPARTING SAID NORTH LINE, SOUTH 00°31'58" WEST, A DISTANCE OF 342.74 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID 20 FOOT WATER MAIN EASEMENT AND THE POINT OF BEGINNING;

THENCE, ALONG SAID NORTH LINE OF SAID 20 FOOT WATER MAIN EASEMENT, SOUTH 89°12'28" EAST, A DISTANCE OF 146.72 FEET; THENCE, DEPARTING SAID NORTH LINE, SOUTH 44°12'28" EAST, A DISTANCE OF 28.28 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SAID 20 FOOT WATER MAIN EASEMENT; THENCE, ALONG SAID SOUTH LINE, NORTH 89°12'28" WEST, A DISTANCE OF 186.72 FEET; THENCE, DEPARTING SAID SOUTH LINE, NORTH 45°47'32" EAST, A DISTANCE OF 28.28 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN SECTION 29 TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA.

CONTAINING 3,334 SQUARE FEET / 0.0765 ACRES, MORE OR LESS.


NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A ASSUMED BEARING OF SOUTH 89°28'02" EAST ALONG THE NORTH LINE OF SECTION 29, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

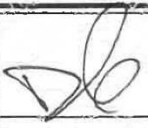
CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JULY 24, 2018. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 2



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING - LAND SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DAVID P. LINDLEY
 REGISTERED LAND
 SURVEYOR NO. 5005
 STATE OF FLORIDA
 L.B. 3591

DATE	07/24/18
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	6030-5-AWE

GLENSPUR FARMS
ABANDONED PORTION OF 20 FOOT WATER MAIN EASEMENT
SKETCH OF DESCRIPTION

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