RESOLUTION NO. R2014-29

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AND BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT VACATING 382 SQUARE FEET (0.009 ACRE) OF A 10-FEET WIDE WATER EASEMENT WITHIN PARCEL 6 OF THE VILLAGE GREEN MULTIPLE USE PLANNED DEVELOPMENT DISTRICT (2815 STATE ROAD 7); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council of Wellington, Florida, as the governing body, pursuant to the authority vested in Chapter 54, Code of Ordinances, known as Wellington Right-of-Way Abandonment Ordinance, received a petition for the vacation of 382 square feet of a 10-feet wide easement within Parcel 6 of the Village Green Multiple Use Planned Development (2815 State Road 7), hereinafter described as the "water easement," and depicted on the survey attached hereto as "Exhibit "A"; and

WHEREAS, the water easement runs in favor of the Acme Improvement District as well as the municipality and the Board of Supervisors of the Acme Improvement District joins in the vacation/abandonment of the water easement; and

WHEREAS, said petition to vacate the water easement was submitted by W & W V, LLC, owner; and

WHEREAS, said petition substantially complies with the terms and conditions of the vacation as set forth in said Ordinance.

NOW THEREFORE, BE IT RESOLVED THE COUNCIL OF WELLINGTON, FLORIDA AND THE BOARD OF SUPERVISORS, that:

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

Section 2: The 382 square feet (0.009 acre) of a 10-feet wide water easement within Parcel 6 of the Village Green Multiple Use Planned Development (2815 State Road 7), as recorded in Plat Book 115, Pages 153-155 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 or the Acme Improvement District and the Public in that portion of the water easement as illustrated on the survey attached hereto as Exhibit "A".

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.

PASSED AND ADOPTED THIS _____ day of _____, 2014.

ATTEST: **WELLINGTON, FLORIDA**

BY: _____ BY: _____

Awilda Rodriguez, Clerk Bob Margolis, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____

Laurie Cohen, Attorney for Wellington