RESOLUTION NO. R2022-62

A RESOLUTION OF THE WELLINGTON'S COUNCIL ABANDONING A 28.45 FOOT LONG PORTION OF A 5-FOOT WIDE LIMITED ACCESS EASEMENT, TOTALING APPROXIMATELY 142 SQUARE FEET, LOCATED WITHIN LOT 6, OF WINDING TRAILS WELLINGTON (2680 AERO CLUB DRIVE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

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9 WHEREAS, the Wellington Council, as the governing body, pursuant to the 10 authority vested in Chapter 54, Code of Ordinances, known as the Wellington's Rightof-Way Abandonment Ordinance, has received a petition for the abandonment of a 11 12 28.45 foot long portion of a 5-foot wide Limited Access Easement, totaling approximately 142 square feet, located at 2680 Aero Club Drive, a single family 13 14 residential property located in the Winding Trails subdivision, hereinafter described as the "easement", and depicted on the Sketch and Description attached hereto as Exhibit 15 A: and 16

18 WHEREAS, the petition to abandon said easement within the property was 19 submitted by Cotleur and Hearing, agent, on behalf of Bonnie and Nophar Silver, 20 owners; and

22 WHEREAS, a Master Plan Amendment (Resolution No. R2022-47) was 23 approved by Wellington Council on October 11, 2022, which allowed for an additional driveway along Aero Club Drive to Lot 6 of Winding Trails. The vacation of the limited 24 25 access easement is in the location of the proposed driveway; and

WHEREAS, said petition substantially complies with the terms and conditions of 28 the vacation as set forth in Chapter 54, Code of Ordinances.

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

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

35 SECTION 2: The 28.45 foot long portion of the 5-foot wide Limited Access Easement totaling approximately 142 square feet, is hereby abandoned and closed, and 36 the Wellington Council does hereby renounce and disclaim any right or interest of 37 Wellington and the public, in the portion of the easement illustrated on the Sketch and 38 39 Description attached hereto as Exhibit A.

SECTION 3: Notice of Intent to abandon any and all rights or interests was 41 published prior to the Council meeting and a Notice of the Adoption shall be published 42 in the Palm Beach Post within 30 days of the date of adoption of this resolution, in 43 44 accordance with Chapter 54, Code of Ordinances.

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46 **SECTION 4**: A certified copy of this Resolution shall be recorded in the public 47 records in accordance with Chapter 54, Code of Ordinances.

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49 50 imi	SECTION 5: The p nediately upon adoption.		of this	Resolution	shall	become	effective
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52	SECTION 6: The W						
	ition, being a legislative	e determinat	tion, is f	inal and bind	ding an	id is not s	subject to
	peal or judicial review.						
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56	PASSED AND ADO	PTED THIS		_day of		, 20	22
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59 <u>W</u>	ELLINGTON						
61	BY:						
62	Anne Gerwig,	Mavor					
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65	ATTEST:						
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68	BY:Chevelle Addie,						
69 70	Chevelle Addie,	Clerk					
70 71							
71 72	APPROVED AS TO						
72	LEGAL SUFFICIENC	-					
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76	BY:						
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