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WHEREAS, Wellington's Council, as the governing body, pursuant to the authority vested in Chapter 54, Code of Ordinances, has received a petition for the vacation / abandonment of a 12-foot wide utility easement, approximately 268 linear feet, located between the unified properties of Lots 3 and 4, Block 60 of Saddle Trail Park of Wellington, hereinafter described as the "easement," and depicted on the Sketch of Description attached hereto as Exhibit 1; and

WHEREAS, the petition to vacate the said easement was submitted by Francisco J. Gonzalez, Esq., Gonzalez, Shenkman, & Buckstein, P.L., agent, on behalf of Christian and Tracy Harris, owners; 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 12-foot wide utility easement, approximately 268 linear feet, located between the unified properties of Lots 3 and 4, Block 60 of Saddle Trail Park of Wellington, as recorded in Plat Book 41 at Pages 103-105 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 of Description attached hereto as Exhibit 1; 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.

PASSED AND ADOPTED THIS 9th day of August, 2016.

ATTEST:

WELLINGTON, FLORIDA

BY: _____ BY: _____
Rachel Callovi, Village Clerk Anne Gerwig, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: Laurie Cohen, Village Attorney

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Exhibit 1 – Sketch and Description of Easement Abandonment

SKETCH AND DESCRIPTION OF A 12' FOOT UTILITY EASEMENT ABANDONMENT FOR LOTS 3 & 4, BLOCK 60, SADDLE TRAIL PARK OF WELLINGTON

LEGAL DESCRIPTION: ABANDONMENT OF A 12' UTILITY EASEMENT

A PARTIAL ABANDONMENT OF A 12 FOOT UTILITY EASEMENT LYING IN PORTIONS OF LOTS 3 AND 4, BLOCK 60, SADDLE TRAIL PARK OF WELLINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 41, AT PAGES 103-105, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Northeast corner of said Lot 4, Block 60; thence run South 02°12'08" West along the East line of said Lot 4, Block 60 for a distance of 6.00 feet to the POINT OF BEGINNING; thence run South 89°45'25" East for a distance of 6.00 feet; thence run South 02°12'08" West for a distance of 268.80 feet to a point on a Non-Tangent curve; said curve being concave to the South having a radius of 4803.30 Feet, a central angle of 00°08'35" and a Chord Bearing of North 87°47'52" West; thence run Westerly along the arc of said curve for a distance of 12.00 feet; thence run North 02°12'08" East for a distance of 268.39 feet; thence run South 89°45'25" East for a distance of 6.00 feet to the POINT OF BEGINNING.

AREA OF EASEMENT ABANDONMENT CONTAINS: 3223 S.F.— 0.07 ACRE

Property Control No. 73-41-44-17-01-060-0030

THIS IS NOT A SURVEY

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WELLINGTON, FLORIDA, 33414
(561) 790-4471
FILE NO.4756 (06-28-16)
PAGE ONE OF TWO
NOT VALID WITHOUT PAGE TWO

RICHARD G. RADER, PLS.
Florida Certificate No. 4881

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JUN 28 2016

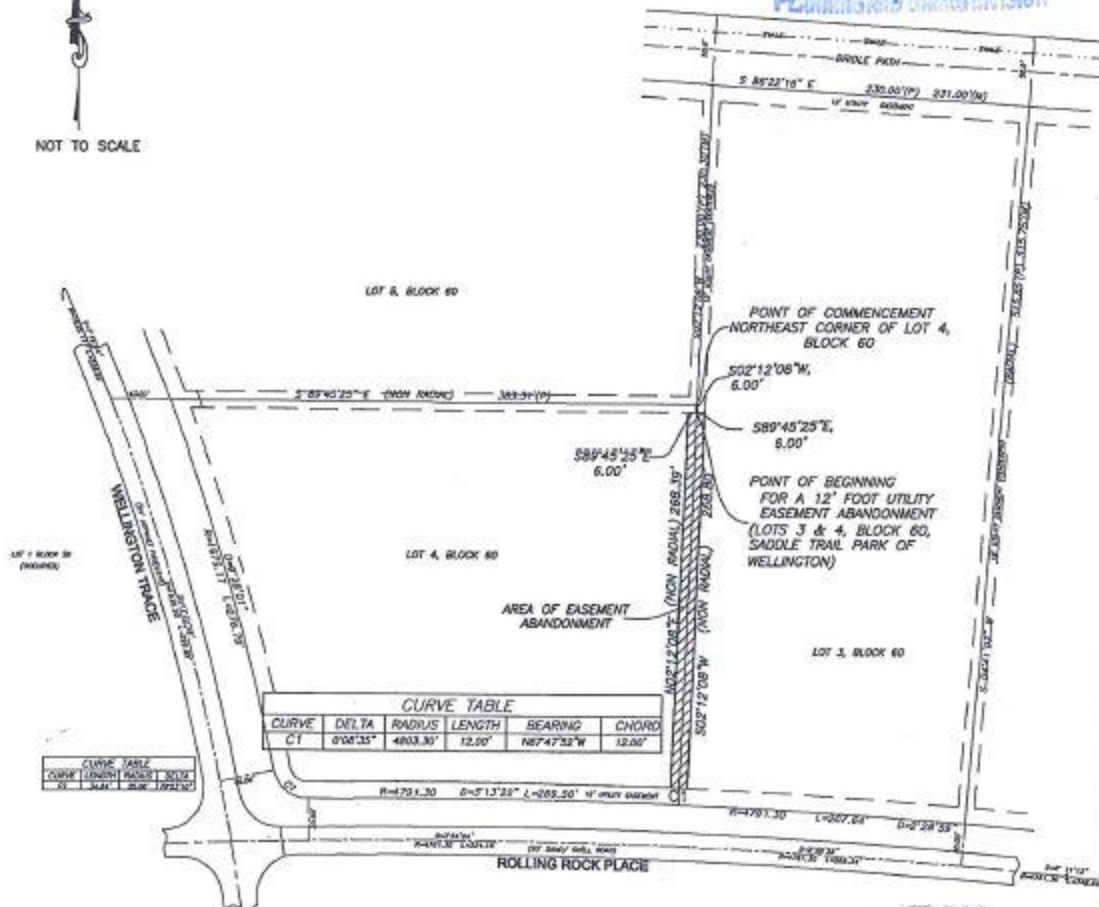
OFFICE OF WELLINGTON
PLANNING AND COMMUNITY DEVELOPMENT

SKETCH AND DESCRIPTION OF A 12' FOOT UTILITY EASEMENT ABANDONMENT
FOR LOTS 3 & 4, BLOCK 60, SADDLE TRAIL PARK OF WELLINGTON

RECEIVED

JUN 20 2016

PLANNING AND DEVELOPMENT



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