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RESOLUTION NO. R2018-27

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, VACATING A 20-FOOT WIDE DRAINAGE AND UTILITY EASEMENT, TOTALING APPROXIMATELY 0.318 ACRES, LOCATED ON TRACTS 4 AND 5, OF THE UNPLATTED SUNGLADE POINT SUBDIVISION (15740 46TH LANE SOUTH AND 15680 46TH LANE SOUTH), MORE SPECIFICALLY DESCRIBED HEREIN; AND 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 of an 20-foot wide drainage and utility easement, totaling approximately 0.318 acres, straddling the property line between Tracts 4 and 5, of the unplatted Sunglade Point subdivision, hereinafter described as the "easement," and depicted on the Sketch and Descriptions attached hereto as Exhibit A and Exhibit B; and

WHEREAS, the petition to vacate the said easements was submitted by Conventina Builders, LLC on behalf of the owners of the subject property Doble A Farm, LLC; 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 drainage and utility easement, totaling approximately 0.318 acres, straddling the property line between Tracts 4 and 5, of the unplatted Sunglade Point subdivision, is unrecorded but described in Official Records Book 26820, Page 1453 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, of the easements illustrated on the Sketch and Descriptions attached hereto as Exhibit A and Exhibit B; 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 10th day of July, 2018

ATTEST:

WELLINGTON, FLORIDA

BY: _____
Chevelle D. Nubin, Village Clerk

BY: _____
Anne Gerwig, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney

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Exhibit A

Legal Description and Sketch of Easement to be Abandoned

SKETCH AND DESCRIPTION

Surveyor's Description: Page 1 of 2

**20' DRAINAGE & UTILITY EASEMENT ABANDONMENT
15740 46TH LANE SOUTH, WELLINGTON, FL 33414
PALM BEACH COUNTY, FL**

Surveyor's Notes:

- 1) This is a Sketch & Description per 5J-17.050, Standards of Practice, Florida Administrative Code.
- 2) Bearing Base: The North line of Parcel 1 & 2, Tract 4 & 5 is assumed to bear **NORTH 59°02'08" WEST** and all bearings shown on map are relative thereto.
- 3) THIS IS NOT A SURVEY
- 4) Revision 09/01/17: Parcel and Land Description.
- 5) Revision 11/21/17: Separate Sketch & Description

Land Description

A PARCEL OF LAND, 10 FEET IN WIDTH, BEING A PART OF PARCEL 1 (A.K.A TRACT 4), SUNGLADE POINT SUBDIVISION (UNRECORDED) LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT SOUTHEAST CORNER OF SAID SECTION 30; RUN THENCE NORTH 00 DEGREES 02 MINUTES 39 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 479.52 FEET; THENCE NORTH 59 DEGREES 02 MINUTES 08 SECONDS WEST, ALONG THE PLATTED SOUTHERLY LINE OF PALM BEACH POINT, AS RECORDED IN PLAT BOOK 33, PAGE 133, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 4101.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 13 DEGREES 08 MINUTES 44 SECONDS WEST, A DISTANCE OF 630.29 FEET; THENCE NORTH 59 DEGREES 02 MINUTES 08 SECONDS WEST, A DISTANCE OF 10.50 FEET; THENCE NORTH 13 DEGREES 08 MINUTES 44 SECONDS EAST, A DISTANCE OF 630.29 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF SAID PALM BEACH POINT; THENCE SOUTH 59 DEGREES 02 MINUTES 08 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID PALM BEACH POINT, A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

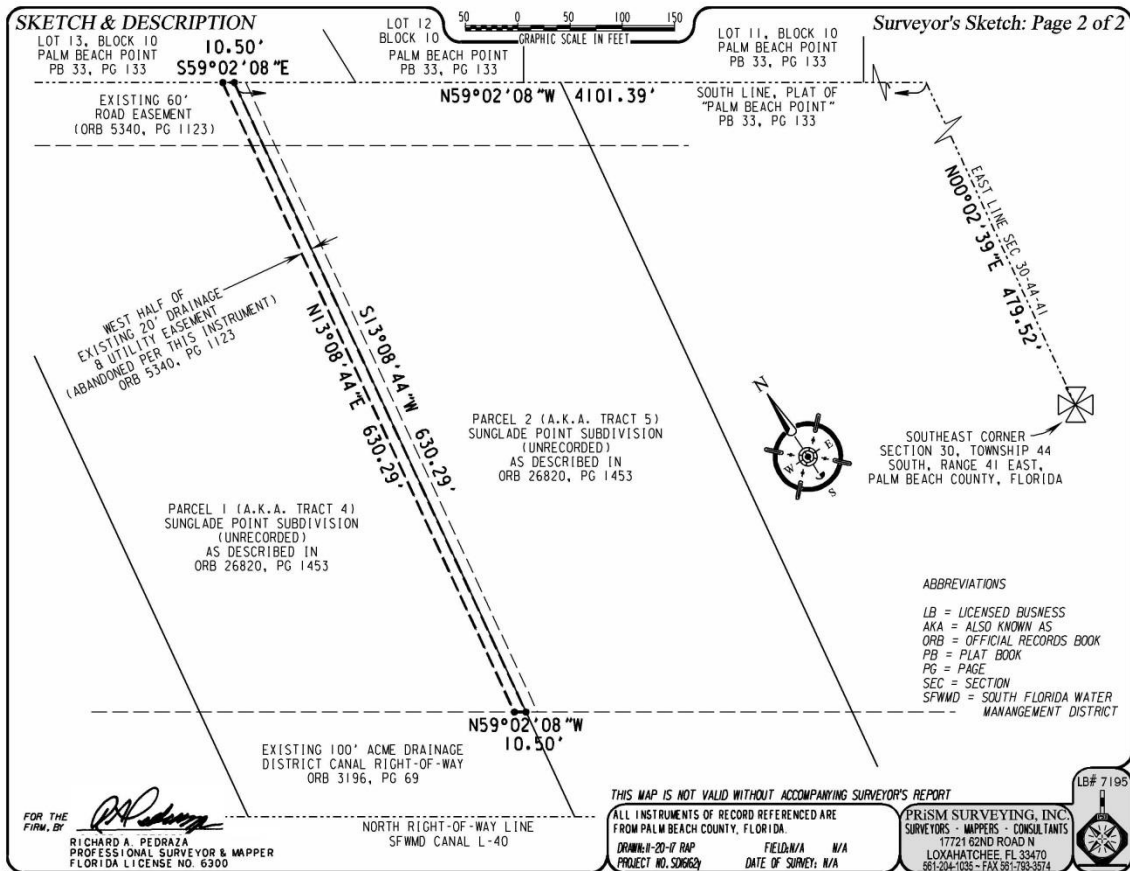
Containing 6,932.50 square feet more or less

Legend of Survey Abbreviations

LB	Licensed Business
ORB	Official Records Book
PB	Plat Book
PG	Page
SEC	Section
SFWMD	South Florida Water Management District

PRISM SURVEYING, INC. LB #7195
17721 62 ND ROAD N. LOXAHATCHEE, FLORIDA 33470 (561) 204-1035

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Exhibit B
Legal Description and Sketch of Easement to be Abandoned

SKETCH AND DESCRIPTION
Surveyor's Description: Page 1 of 2

20' DRAINAGE & UTILITY EASEMENT ABANDONMENT
15680 46TH LANE SOUTH, WELLINGTON, FL 33414
PALM BEACH COUNTY, FL

Surveyor's Notes:

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- 2) Bearing Base: The North line of Parcel 1 & 2, Tract 4 & 5 is assumed to bear **NORTH 59°02'08" WEST** and all bearings shown on map are relative thereto.
- 3) THIS IS NOT A SURVEY
- 4) Revision 09/01/17: Parcel and Land Description.
- 5) Revision 11/21/17: Separate Sketch & Description

Land Description

A PARCEL OF LAND, 10 FEET IN WIDTH, BEING A PART OF PARCEL 2 (A.K.A TRACT 5), SUNGLADE POINT SUBDIVISION (UNRECORDED) LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT SOUTHEAST CORNER OF SAID SECTION 30; RUN THENCE NORTH 00 DEGREES 02 MINUTES 39 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 479.52 FEET; THENCE NORTH 59 DEGREES 02 MINUTES 08 SECONDS WEST, ALONG THE PLATTED SOUTHERLY LINE OF PALM BEACH POINT, AS RECORDED IN PLAT BOOK 33, PAGE 133, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 4090.88 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 13 DEGREES 08 MINUTES 44 SECONDS WEST, A DISTANCE OF 630.29 FEET; THENCE NORTH 59 DEGREES 02 MINUTES 08 SECONDS WEST, A DISTANCE OF 10.51 FEET; THENCE NORTH 13 DEGREES 08 MINUTES 44 SECONDS EAST, A DISTANCE OF 630.29 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF SAID PALM BEACH POINT; THENCE SOUTH 59 DEGREES 02 MINUTES 08 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID PALM BEACH POINT, A DISTANCE OF 10.51 FEET TO THE POINT OF BEGINNING.

Containing 6,932.50 square feet more or less

Legend of Survey Abbreviations

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