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RESOLUTION NO. R2018-41

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO VACATE A 0.25 ACRE PORTION OF A 20-FOOT WIDE WATER EASEMENT LOCATED AT 12100 PIERSON ROAD (DEERIDGE FARMS), MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington's Council, as the governing body, pursuant to the authority vested in it by Chapter 54, Code of Ordinances, known as the Wellington Right-of-Way Abandonment Ordinance, has received a petition for the vacation / abandonment of a portion of a 20-foot wide water easement located within Deeridge Farms, a 62.47 acre property located on the southeast corner of Pierson Road and Southfields Road, 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 easement within the Deeridge Farms property was submitted by Chris Goetzfried, P.E., agent, on behalf of the owner of the subject property, Solar Sportsystems, Inc.; 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 easement, totaling approximately 0.25 acres, located at 12100 Pierson Road 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.

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.

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

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4 **ATTEST:**

WELLINGTON, FLORIDA

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7 BY: _____ BY: _____

8 Chevelle D. Nubin, Village Clerk

Anne Gerwig, Mayor

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11 **APPROVED AS TO FORM AND**
12 **LEGAL SUFFICIENCY**

13

14

15 BY: _____

16 Laurie Cohen, Village Attorney

17

18

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Exhibit A
Legal Description and Sketch of Easement to be Abandoned

EXHIBIT "A"

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22; THENCE, ALONG THE NORTH LINE OF SAID SECTION 22, SOUTH 89°37'48" EAST, A DISTANCE OF 840.96 FEET; THENCE, DEPARTING SAID NORTH LINE OF SECTION 22, SOUTH 01°14'34" WEST, A DISTANCE OF 113.08 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A PORTION OF A WATER EASEMENT RECORDED IN OFFICIAL RECORD BOOK 4242 AT PAGE 1369 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THE DESCRIPTION OF SAID EASEMENT HAS NO WIDTH GIVEN; FOR THE PURPOSE OF THIS DESCRIPTION THE WIDTH OF THIS EASEMENT IS ASSUMED TO BE 20 FEET, 10 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

THENCE, ALONG SAID CENTERLINE SOUTH 01°14'34" WEST, A DISTANCE OF 415.50 FEET; THENCE SOUTH 89°49'34" WEST, A DISTANCE OF 123.70 FEET TO THE POINT OF TERMINUS.

CONTAINING 10,783 SQUARE FEET OR 0.2476 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO A ASSUMED BEARING OF SOUTH 89°37'48" EAST ALONG THE NORTH LINE OF SECTION 22, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.
3. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
4. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
5. ALL RECORDING REFERENCES SHOWN HERE ON ARE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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 JUNE 27, 2018. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 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
LB# 3591

**SOLAR SPORTSYSTEM
WATER EASEMENT
SKETCH OF DESCRIPTION**

DATE 06/27/18

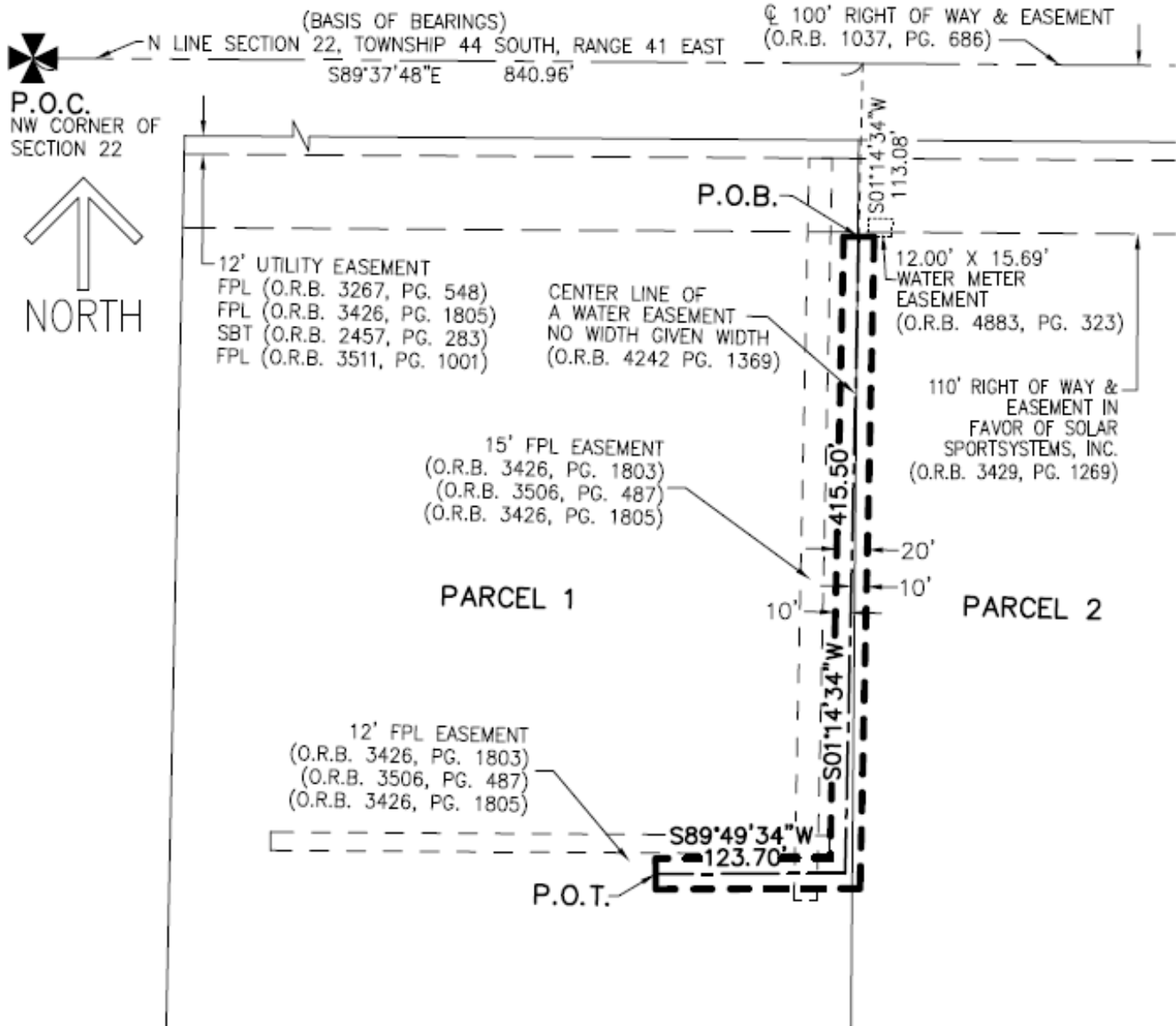
DRAWN BY DLS

F.B./ PG. N/A

SCALE AS SHOWN

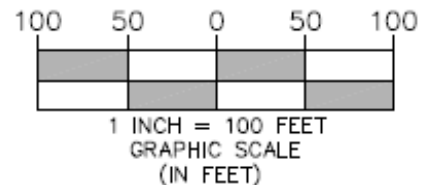
JOB NO. 6371-ABAN

EXHIBIT "A"



LEGEND/ABBREVIATIONS

FPL - FLORIDA POWER & LIGHT
P.B.C.R. - PALM BEACH COUNTY RECORDS
LB - LICENSED BUSINESS
O.R.B. - OFFICIAL RECORD BOOK
PG. - PAGE
P.B. - PLAT BOOK
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
P.O.T. - POINT OF TERMINUS
SBT - SOUTHERN BELL TELEPHONE



SHEET 2 OF 2



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SOLAR SPORTSYSTEM
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SKETCH OF DESCRIPTION

DATE 06/27/18

DRAWN BY DLS

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO. 6371-ABAN