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RESOLUTION NO. R2021-15

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ABANDONING A 6 FOOT BY 41.16 FOOT PORTION OF A 12-FOOT WIDE UTILITY EASEMENT, TOTALING APPROXIMATELY 247.1 SQUARE FEET, LOCATED WITHIN LOT 18, BLOCK 25, SUGAR POND MANOR OF WELLINGTON (13922 COLUMBINE AVENUE), MORE SPECIFICALLY DESCRIBED HEREIN; 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 abandonment of a 6 foot by 41.16 foot portion of a 12-foot wide Utility Easement, totaling approximately 247.1 square feet, located at 13922 Columbine Avenue, a single family residential property located in the Sugar Pond subdivision, hereinafter described as the "easement", and depicted on the Sketch and Descriptions attached hereto as Exhibit A; and

WHEREAS, the petition to abandon the said easements within the property was submitted by David and Natalie Vitola, 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 6-foot wide portion of a 12-foot wide Utility Easement, totaling approximately 247.1 square feet, is hereby abandoned 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 and Description attached hereto as Exhibit A.

Section 3: Notice of Intent to abandon any and all rights or interests was published prior to the Council meeting and a Notice of the Adoption shall be published in the Palm Beach Post within thirty 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.

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51 **PASSED AND ADOPTED THIS** _____ **day of** _____, **2021**
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54 **ATTEST:**

WELLINGTON, FLORIDA

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57 BY: _____
58 Chevelle D. Addie, Clerk

BY: _____
Anne Gerwig, Mayor

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61 **APPROVED AS TO FORM AND**
62 **LEGAL SUFFICIENCY**

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64
65 BY: _____
66 Laurie Cohen, Village Attorney