



## Legislation Text

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File #: 20-4350, Version: 1

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### ITEM: RESOLUTION NO. R2021-14 (LOTIS WELLINGTON VACATION)

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO ABANDON THE ROAD RESERVATION AND ALL RIGHTS OF THE VILLAGE OF WELLINGTON FOR THE 25-FOOT WIDE ROAD RESERVATION EASEMENT LYING NORTH OF TRACTS 13, 14, 15 AND 16, AND LYING WEST OF TRACT 10 OF BLOCK 18, AS DEDICATED ON PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45; PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Approval of Resolution No. R2021-14 abandoning the 25-foot wide road reservation easement as dedicated on the Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Page 45, Public Records, Palm Beach County.

**EXPLANATION:** James S. Gielda of JKM Developers, LLC, agent, on behalf of the property owners, Lotis Wellington LLC and Lake Worth Drainage District (LWDD), is requesting to abandon the 25-foot wide road reservation easement. The easement was dedicated on the recorded Palm Beach Farms Company Plat as a reservation for public road and ditch purposes. The public easement is currently not used for its original intended purpose. This abandonment is needed for development of the recently approved 64-acre mixed-use project known as Lotis Wellington.

LWDD is the fee simple owner (Quit-Claim Deed recorded in ORB 10930 Page 1295) of a strip of land within a portion of the subject properties. This strip of land is known as the L-7W Canal and is included in a portion of the subject easement that runs approximately 1,266 feet west from State Road 7. The applicant will be purchasing the strip of land from LWDD after this abandonment request is approved. LWDD, as current owner of the strip of land, provided an authorization letter dated September 15, 2020, (Staff Report Exhibit B) for the applicant (Lotis Wellington, LLC) to act on its behalf for the purpose of the abandonment of the easement.

The Engineering Services, Planning and Zoning, and Utilities Departments have determined this request to abandon the 25-foot wide road reservation easement is consistent with the public interest and will not adversely affect Wellington's interests or access to other properties.

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** NO

**QUASI-JUDICIAL:**

**FIRST READING:**

**SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** N/A

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Approval of Resolution No. R2021-14 abandoning the 25-foot wide road reservation

easement as dedicated on the Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Page 45, Public Records, Palm Beach County.