

RESOLUTION NO. 04-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF SANITARY SEWER EASEMENTS AND WATER EASEMENTS, WHICH WERE DEDICATED TO THE CITY OF DELRAY BEACH AS RECORDED IN THE BILL WALLACE NISSAN PLAT, PLAT BOOK 56 PAGE 91, AND WALLACE DODGE REPLAT, PLAT BOOK 74 PAGE 9 AND 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, AS MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" AND "B"; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach, Florida, received an application (2020-048-ABR-CCA) for abandonment of 12-foot wide water easements as described in Exhibit "A" and sanitary sewer easements as described in Exhibit "B", as recorded in the Bill Wallace Nissan Plat, Plat Book 56 Page 91, and Wallace Dodge Replat, Plat Book 74 Pages 9 and 10, of the public records of Palm Beach County; and

WHEREAS, the application for abandonment of easements was processed pursuant to Section 2.4.6(N), "Abandonment of Public Easement," of the Land Development Regulations of the City of Delray Beach, Florida; and

WHEREAS, the site plan for AutoNation Land Rover Jaguar Dealership (2019-268), approved on October 16, 2019, requires the abandonment of easements as the redevelopment of the property negates the need of the easements at their existing locations due to the configuration of the buildings (proposed and existing) and service locations on-site; and

WHEREAS, a new easement agreement will be entered into for the maintenance of public utilities/drainage facilities existing within the subject property subsequent to the passing of this resolution; and

WHEREAS, pursuant to LDR Section 2.4.6(N)(3)(c), the application was forwarded to the City Commission with the recommendation by the City Engineer that the abandonments be approved; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, pursuant to LDR Section 2.4.6(N)(5), finds that the abandonments will not result in detriment for the provision of utility services or sewer service to adjacent properties or the general area; and

WHEREAS, upon approval by the City Commission, the resolution be recorded with Exhibits "A" and "B" (sketch and legal descriptions).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby incorporated herein by this reference.

Section 2. That pursuant to Chapter 177 and Chapter 166 of the Florida Statutes, it is hereby determined to vacate and abandon all right and interest it holds to the following real property, more particularly described in Exhibits “A” and “B”.

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Katerri Johnson, City Clerk

\_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

Exhibit A

**SKETCH & DESCRIPTION  
VACATION WATER EASEMENT**

A PORTION OF TRACT 'D'  
(P.B. 74, PGS. 9-10, P.B.C.R.)  
CITY OF DELRAY BEACH

**LAND DESCRIPTION:**

A portion of Tract 'D', WALLACE DODGE REPLAT, as recorded in Plat Book 74, Pages 9 – 10, of the Public Records of Palm Beach County, Florida; being described as follows:

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the southwest corner of said Tract 'D'; thence N89°42'36"E along the south line of said Tract 'D', 10.24 feet; thence N02°05'34"E, 11.75 feet to the north line of an existing water easement; also being the **Point Of Beginning** of said centerline; thence continue N02°05'34"E, 216.09 feet; thence S89°41'19"W, 10.04 feet to a point hereinafter referred to as Reference Point 'A'; also being the westerly line of said Tract 'D'; also being the **Point Of Termination** of said centerline.

Together With:

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the aforementioned Reference Point 'A'; thence N02°08'28"E, 45.89 feet; thence N89°50'52"E, 25.00 feet; thence N01°57'00"E, 139.98 feet (the previous three bearings and distances being along the westerly line of said Tract 'D'); thence S89°50'52"W along the most northerly south line of said Tract 'D', 76.67 feet to the **Point Of Beginning** of said centerline; thence N00°11'58"W, 325.57 feet to the northerly line of said Tract 'D'; also being the **Point Of Termination** of said centerline.

Said sidelines shall lengthen or shorten to form a continuous strip of land.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida.

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REVISIONS		<b>AVIROM &amp; ASSOCIATES, INC.</b> <b>SURVEYING &amp; MAPPING</b> 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com	JOB #:	10655_VW_D
		SCALE:	-	
		DATE:	11/25/2019	
		BY:	W.R.E.	
		CHECKED:	J.T.D.	
		F.B.	-- PG. --	
SHEET:	1 OF 3			

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**SKETCH & DESCRIPTION**  
**VACATION WATER EASEMENT**  
 A PORTION OF TRACT 'D'  
 (P.B. 74, PGS. 9-10, P.B.C.R.)  
 CITY OF DELRAY BEACH

**SURVEYOR'S NOTES:**

1. Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this sketch by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the south line of Tract 'D' having a bearing of N89°42'36"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 11/25/2019

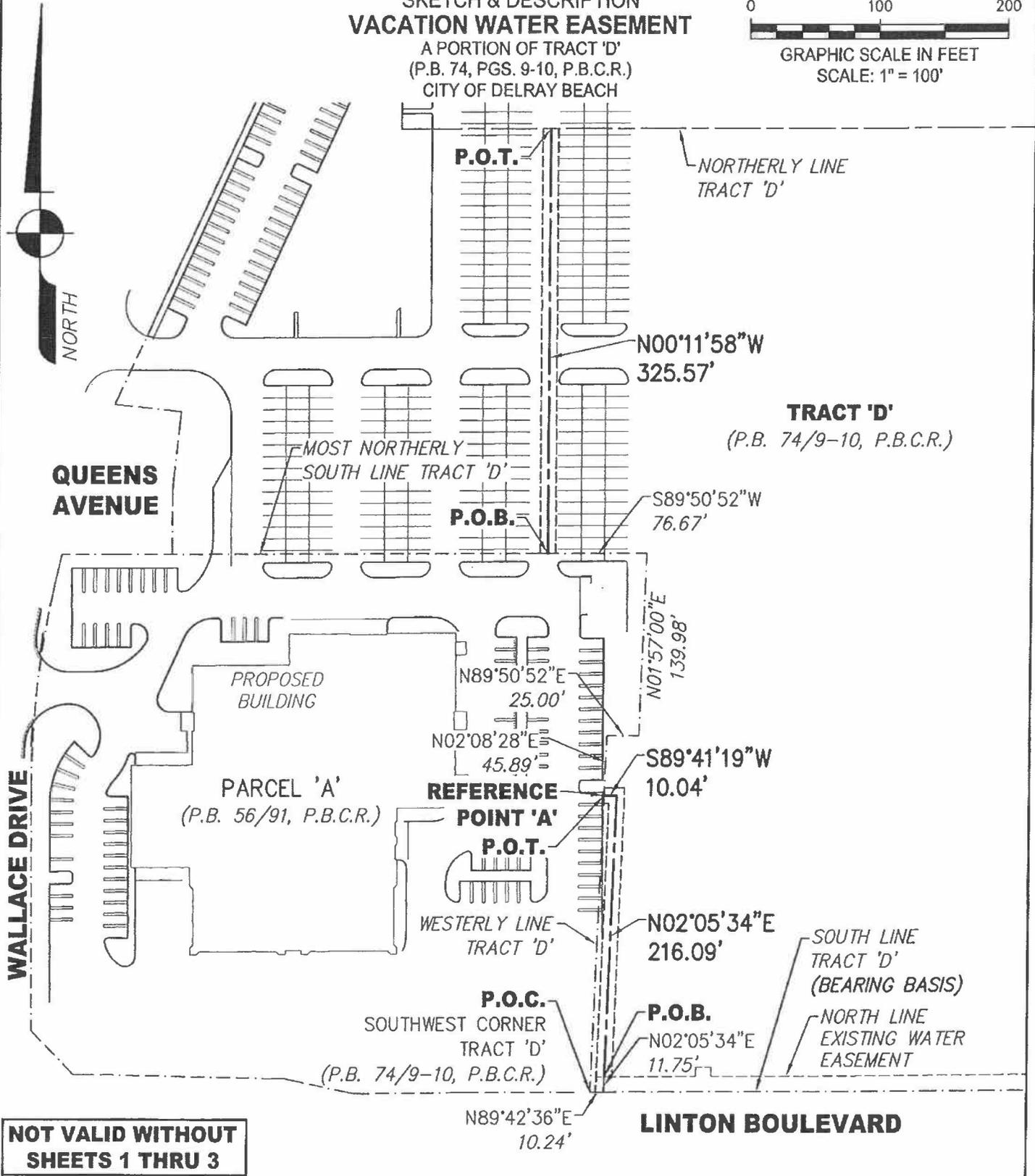
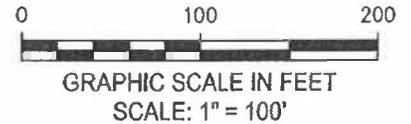
  
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SKETCH & DESCRIPTION  
**VACATION WATER EASEMENT**

A PORTION OF TRACT 'D'  
 (P.B. 74, PGS. 9-10, P.B.C.R.)  
 CITY OF DELRAY BEACH



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F.B.	-- PG. --
SHEET:	3 OF 3

SKETCH & DESCRIPTION  
**VACATION WATER EASEMENT**

A PORTION OF PARCEL 'A'  
 (P.B. 56, PG. 91, P.B.C.R.)  
 CITY OF DELRAY BEACH

**LAND DESCRIPTION:**

A portion of Parcel 'A', BILL WALLACE NISSAN, according to the Plat thereof as recorded in Plat Book 56, Page 91, of the Public Records of Palm Beach County, Florida.

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the Northeast corner of said Parcel A, thence S89°50'52"W along the north line of said Parcel 'A', 81.04 feet to the Point of Beginning of said centerline; thence S02°02'52"W, 42.00 feet to a point hereinafter referred to as Reference Point 'A' thence continue S02°02'52"W, 141.10 feet; thence S87°57'08"E, 56.17 feet to the easterly line of said Parcel 'A'; thence N87°57'08"W, 56.17 feet; thence S02°02'52"W, 87.29 feet; thence S72°19'24"W, 249.33 feet; thence N17°40'36"W, 22.23 feet; thence S17°40'36"E, 22.23 feet; thence S72°19'24"W, 54.26 feet; thence N00°22'46"W, 295.70 feet; thence S89°37'14"W, 13.44 feet; thence N89°37'14"E, 13.44 feet; thence N00°22'46"W, 35.74 feet to the Point of Termination of said centerline.

Together With:

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Begin at the aforementioned Reference Point 'A'; thence N87°53'49"W, 376.17 feet to the westerly line of said Parcel 'A'; also being the Point of Termination of said centerline.

Said sidelines shall lengthen or shorten to form a continuous strip of land.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida.

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**SKETCH & DESCRIPTION  
VACATION WATER EASEMENT**

A PORTION OF PARCEL 'A'  
(P.B. 56, PG. 91, P.B.C.R.)  
CITY OF DELRAY BEACH

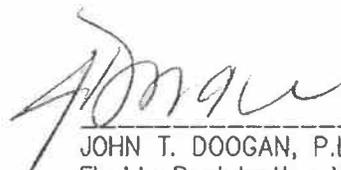
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4. Bearings shown hereon are assumed based on the north line of Parcel 'A' having a bearing of S89°50'52"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

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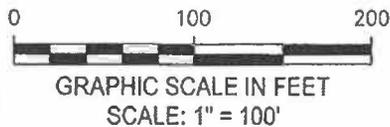
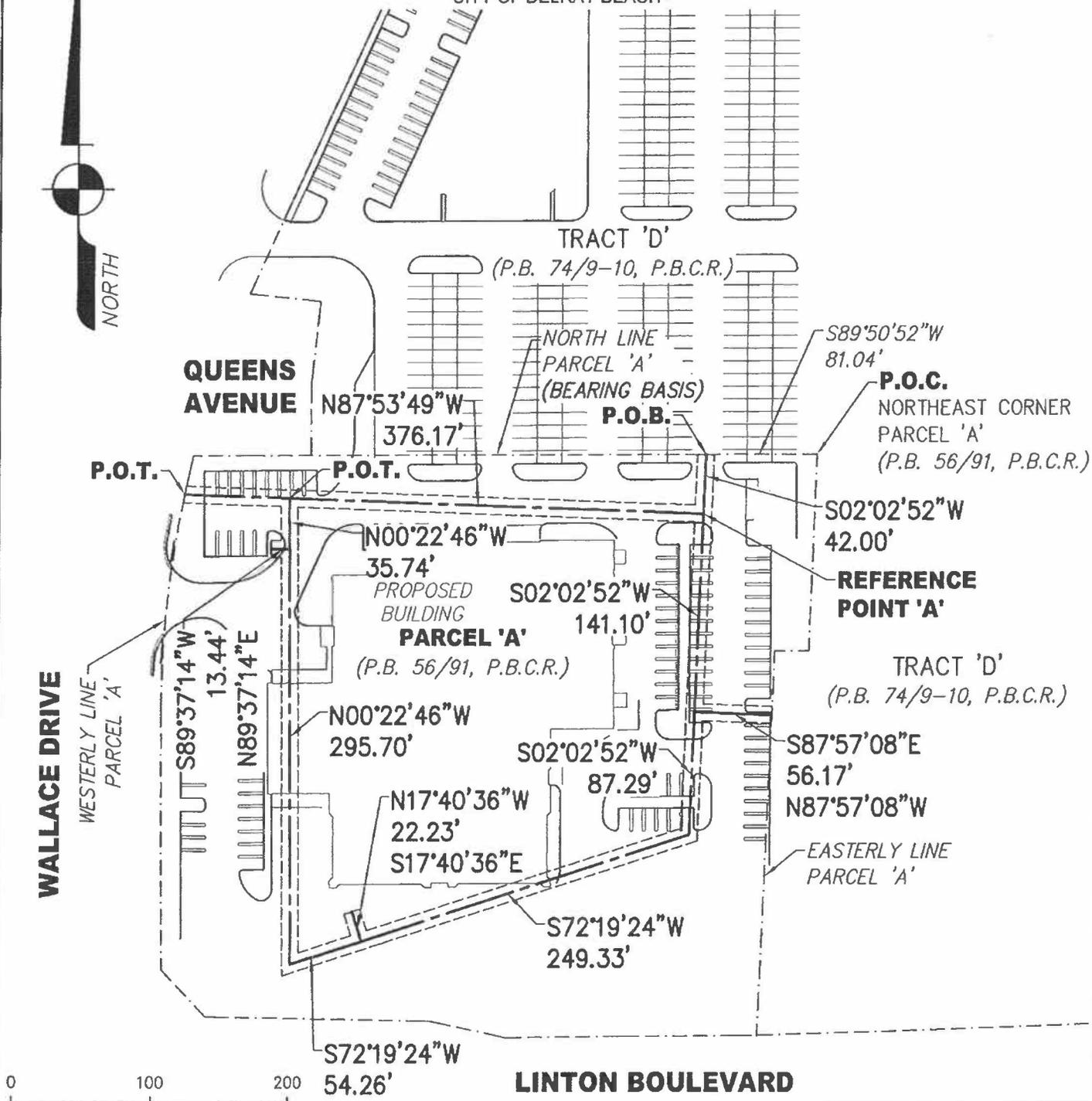
  
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			F.B. - PG. -
		SHEET: 2 OF 3	

SKETCH & DESCRIPTION  
**VACATION WATER EASEMENT**

A PORTION OF PARCEL 'A'  
 (P.B. 56, PG. 91, P.B.C.R.)  
 CITY OF DELRAY BEACH



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SHEET:	3 OF 3

SKETCH & DESCRIPTION  
**VACATION SANITARY SEWER EASEMENT**

A PORTION OF PARCEL 'A'  
 (P.B. 56, PG. 91, P.B.C.R.)  
 CITY OF DELRAY BEACH

**LAND DESCRIPTION:**

A portion of Parcel 'A', BILL WALLACE NISSAN, according to the Plat thereof as recorded in Plat Book 56, Page 91, of the Public Records of Palm Beach County, Florida.

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the Northeast corner of said Parcel 'A', thence S89°50'52"W, 70.03 feet to the Point of Beginning of said centerline; thence S02°02'52"W, 53.63 feet to a point hereinafter referred to as Reference Point 'A', thence continue S02°02'52"W, 185.88 feet; thence S60°40'02"E, 50.67 feet to the easterly line of said Parcel 'A'; thence N60°40'02"W, 50.67 feet; thence S02°02'52"W, 50.27 feet to a Point of Termination of said centerline.

Together with;

Begin at the aforementioned Reference Point 'A' thence N87°53'49"W, 287.29 feet; thence S00°22'46"E, 145.75 feet; thence N00°22'46"W, 145.75 feet; thence N87°53'49"W, 2.00 feet; thence N54°55'55"W, 73.19 feet to the westerly line of said Parcel 'A'; also being the Point of Termination of said centerline.

Together with:

An existing 12 foot Sanitary Sewer Easement as recorded in Official Records Book 8173, Page 668 of the Public Records of Palm Beach County, Florida, being described as follows:

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the said Northeast Corner of said Parcel 'A'; thence S01°57'00"W, along the East line of said Parcel 'A', 70.64 feet to a Point of Beginning of said centerline; thence N76°56'35"W, 65.30 feet to the east line of an existing 12 foot Sanitary Sewer Easement; also being the Point of Termination of said centerline.

Said sidelines shall lengthen or shorten to form a continuous strip of land.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida.

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**SKETCH & DESCRIPTION**  
**VACATION SANITARY SEWER EASEMENT**  
 A PORTION OF PARCEL 'A'  
 (P.B. 56, PG. 91, P.B.C.R.)  
 CITY OF DELRAY BEACH

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4. Bearings shown hereon are assumed based on the north line of Parcel 'A' having a bearing of S89°50'52"W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; O.R.B. = Official Records Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

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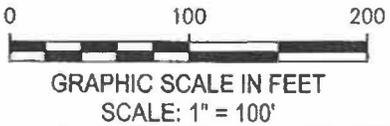
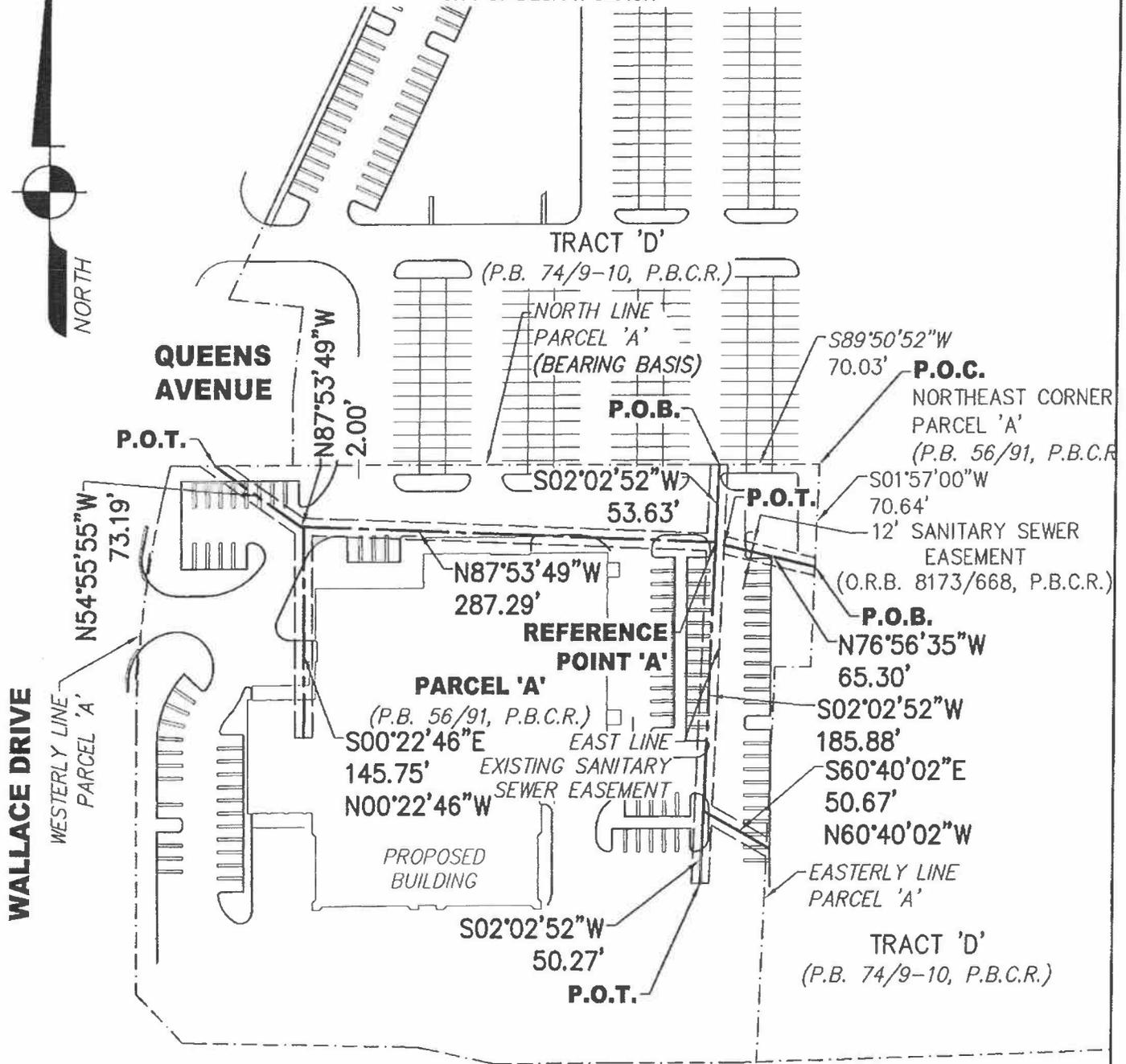
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SKETCH & DESCRIPTION  
**VACATION SANITARY SEWER EASEMENT**

A PORTION OF PARCEL 'A'  
 (P.B. 56, PG. 91, P.B.C.R.)  
 CITY OF DELRAY BEACH



**LINTON BOULEVARD**

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F.B.:	PG. --
SHEET:	3 OF 3

Exhibit B

SKETCH & DESCRIPTION  
**VACATION SANITARY SEWER EASEMENT**

A PORTION OF TRACT 'D'  
(P.B. 74, PGS. 9-10, P.B.C.R.)  
CITY OF DELRAY BEACH

**LAND DESCRIPTION:**

A portion of Tract 'D', WALLACE DODGE REPLAT, as recorded in Plat Book 74, Pages 9 – 10, of the Public Records of Palm Beach County, Florida; being described as follows:

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the southwest corner of said Tract 'D'; thence N89°42'36"E along the south line of said Tract 'D', 207.02 feet; thence N00°12'02"W, 196.67 feet to the Point Of Beginning of said centerline; thence continue N00°12'02"W, 106.00 feet; thence N76°53'53"W, 172.87 feet to a point hereinafter referred to as Reference Point 'A'; also being the westerly line of said Tract 'D'; also being the Point Of Termination of said centerline.

Together With:

A 12 foot wide strip of land, 6.00 feet on each side of the following described centerline.

Commence at the aforementioned Reference Point 'A'; thence N01°57'00"E along the westerly line of said Tract 'D', 70.66 feet; thence S89°50'52"W along the most northerly south line of said Tract 'D', 65.66 feet to the Point Of Beginning of said centerline; thence N00°11'58"W, 325.58 feet to the northerly line of said Tract 'D'; also being the Point Of Termination of said centerline.

Said sidelines shall lengthen or shorten to form a continuous strip of land.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida.

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**SKETCH & DESCRIPTION**  
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 A PORTION OF TRACT 'D'  
 (P.B. 74, PGS. 9-10, P.B.C.R.)  
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4. Bearings shown hereon are assumed based on the south line of Tract 'D' having a bearing of N89°42'36"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; P.B.C.R. = Palm Beach County Records; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination.

**CERTIFICATION:**

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 11/25/2019



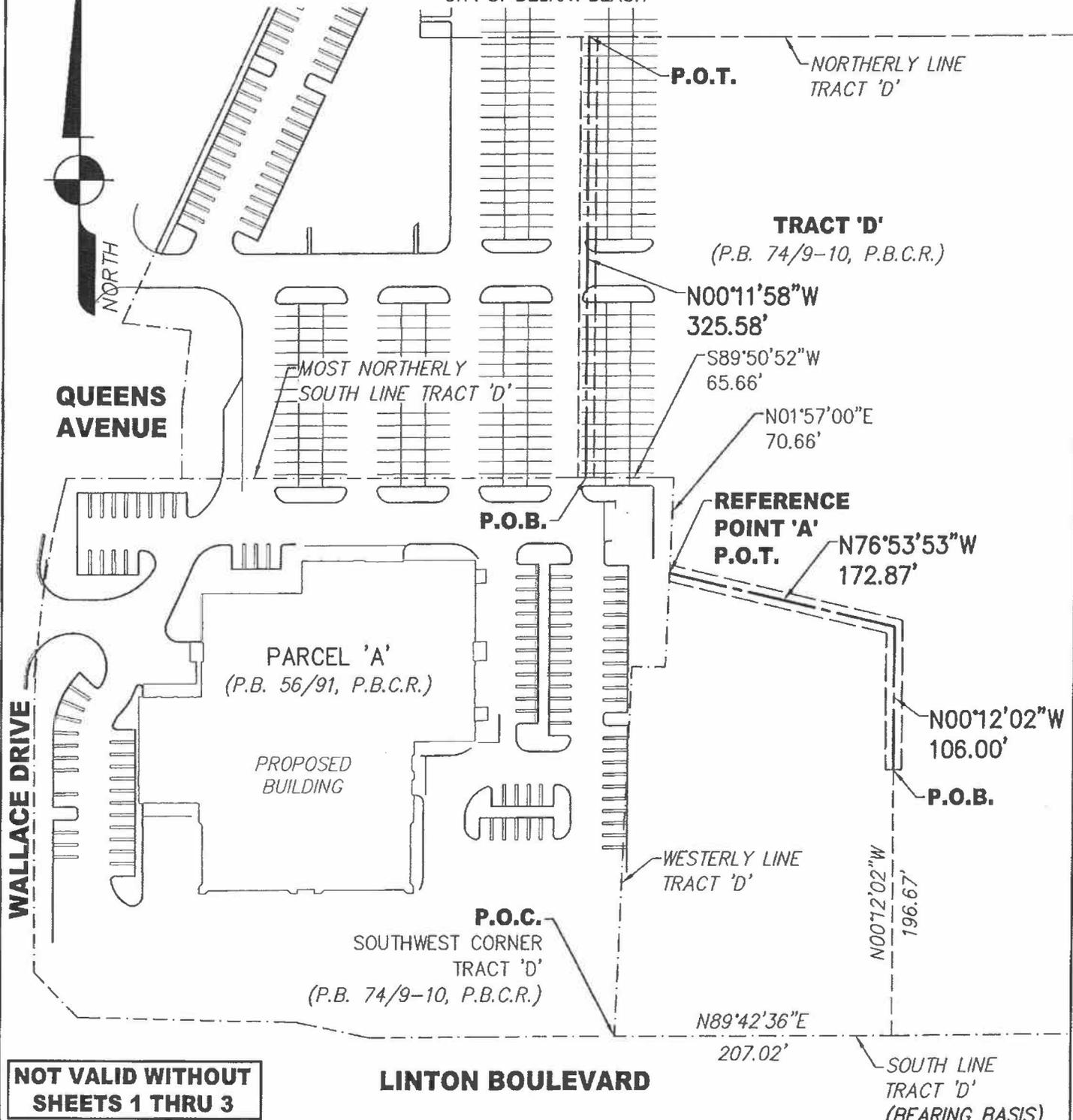
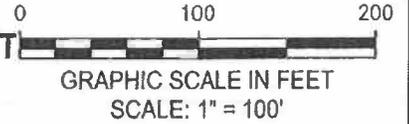
JOHN T. DOOGAN, P.L.S.  
 Florida Registration No. 4409  
 AVIROM & ASSOCIATES, INC.  
 L.B. No. 3300

**NOT VALID WITHOUT  
 SHEETS 1 THRU 3**

REVISIONS      	 <p><b>AVIROM &amp; ASSOCIATES, INC.</b>  <b>SURVEYING &amp; MAPPING</b>          50 S.W. 2nd AVENUE, SUITE 102          BOCA RATON, FLORIDA 33432          (561) 392-2594 / <a href="http://www.AVIROMSURVEY.com">www.AVIROMSURVEY.com</a>  <small>© 2019 AVIROM &amp; ASSOCIATES, INC. all rights reserved.          This sketch is the property of AVIROM &amp; ASSOCIATES, INC.          and should not be reproduced or copied without written permission.</small></p>	JOB #: 10655_VS_D SCALE: -- DATE: 11/25/2019 BY: W.R.E. CHECKED: J.T.D. F.B. -- PG. -- SHEET: 2 OF 3
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SKETCH & DESCRIPTION  
**VACATION SANITARY SEWER EASEMENT**

A PORTION OF TRACT 'D'  
 (P.B. 74, PGS. 9-10, P.B.C.R.)  
 CITY OF DELRAY BEACH



**NOT VALID WITHOUT SHEETS 1 THRU 3**

REVISIONS



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JOB #:	10655_VS_D
SCALE:	1" = 100'
DATE:	11/25/2019
BY:	W.R.E.
CHECKED:	J.T.D.
F.B. - PG. -	
SHEET:	3 OF 3