

RESOLUTION NO. 48-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, VACATING AND ABANDONING AN EASEMENT DEDICATED TO THE CITY OF DELRAY BEACH BY AN EASEMENT DEED RECORDED IN ORB 10419, PAGES 8 THROUGH 11 AND AS MORE PARTICULARLY DESCRIBED HEREIN

WHEREAS, the City of Delray Beach, Florida, received an application for abandonment of easement retained in favor of the City and public utility providers via the deed recorded in the public records of Palm Beach County, Official Records Book 10419 and Pages 8 through 11 and as more particularly described herein; and

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

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

WHEREAS, the City Commission of the City of Delray Beach, Florida, pursuant to LDR Section 2.4.6(N)(5), finds that the abandonment will not result in detriment for the provision of utility services to adjacent properties or the general area, that its interest in the described property is no longer needed for the public good and deems it to be in the best interest of the City of Delray Beach to vacate and abandon said easement, as more particularly described in Exhibit "A", subject to the condition that AT&T company releases its interest in the easement.

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 as follows:

EXHIBIT "A"

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

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MAYOR

ATTEST:

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City Clerk

EXHIBIT "A"

A UTILITY EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 10419, PAGE 8 THROUGH 11, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID EASEMENT LYING IN SECTION 27, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 46 SOUTH, RANGE 42 EAST AND THE NORTH RIGHT-OF-WAY LINE OF MORIKAMI PARK ROAD (SW 167th PLACE) AS PER OFFICIAL RECORDS BOOK 1266, PAGE 185, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°17'07" WEST, ALONG SAID WEST LINE, A DISTANCE OF 16.00 FEET; THENCE NORTH 89°42'53" EAST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 00°17'07" EAST, A DISTANCE OF 2.08 FEET; THENCE SOUTH 28°04'54" EAST, A DISTANCE OF 15.65 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF MORIKAMI PARK ROAD; THENCE SOUTH 89°23'14" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 13.30 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.003 ACRES OR 147 SQUARE FEET, MORE OR LESS.