

RESOLUTION NO. 47-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF A WATER EASEMENT LOCATED AT 3900 SHERWOOD BOULEVARD, TOTALING APPROXIMATELY ONE THOUSAND EIGHT HUNDRED AND TWELVE SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, Toll Southeast LP Company, Inc. (“Owner”), is the owner of a parcel of land located at 3900 Sherwood Boulevard, Delray Beach, Florida (“Property”); and

WHEREAS, Owner designated Christina Bilenki, Esq., Miskel Backman, LLP (“Agent”), to act as its agent; and

WHEREAS, the City of Delray Beach, Florida (“City”) received an application (2025-046-ABE-CCA) for the abandonment of a public utilities easement (“Easement”) on the Property, totaling approximately 1,812 square feet, as more particularly described in Exhibit “A”; and

WHEREAS, the Easement was dedicated in perpetuity for the construction and maintenance of public utilities purposes as recorded in Book 14049, Pages 199 through 202 of the Official Records of Palm Beach County; and

WHEREAS, pursuant to Land Development Regulations (“LDR”) Section 2.4.9(C)(4), the application was forwarded to the City Commission with a recommendation by the City Engineer; and

WHEREAS, pursuant to LDR Section 2.4.9(C)(6), prior to granting an abandonment of public easements, the City Commission must find the abandonment will not result in the detriment of the provision of utility services to adjacent properties or the general area; and

WHEREAS, the utilities located within the Easement have already been removed; and

WHEREAS, on February 24, 2026, the City Commission considered the request for abandonment and the respective findings as set forth in the Land Development Regulations and Comprehensive Plan.

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

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

Section 2. The City Commission makes positive findings that the requested abandonment will not result in the detriment for the provision of utility services to adjacent properties or the general area.

Section 3. The City Commission hereby vacates and abandons all rights and interest the City holds in the Easement as more particularly described in Exhibit “A”.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Christina Bilenki, Esq., Miskel Backman, LLP, at 14 SE 4th Street, Suite 36, Boca Raton, Florida 33432.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

EXHIBIT "A"
 SKETCH AND LEGAL DESCRIPTION OF EASEMENT TO BE ABANDONED

