

RESOLUTION NO. 49-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, VACATING AND ABANDONING THE WATER EASEMENT LOCATED ON THE PROPERTY AT 16205 SOUTH MILITARY TRAIL, DELRAY BEACH, FLORIDA, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A."

WHEREAS, the City of Delray Beach, Florida received an application for abandonment of a water easement dedicated via the Plat of "Wal-Mart Center," as recorded in ORB 23124, Page 741 of the Public Records of Palm Beach County, Florida, located at 16205 South Military Trail, and as more particularly described in Exhibit "A"; and

WHEREAS, the application for abandonment of the water easement 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 abandonment be approved, based upon positive findings (subject to a condition of approval); 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 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."

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

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

Section 2. 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:

See Exhibit "A"

PASSED AND ADOPTED in regular session on this the \_\_\_\_ day of \_\_\_\_\_ ,  
2016.

\_\_\_\_\_  
M A Y O R

ATTEST:

\_\_\_\_\_  
City Clerk