

RESOLUTION NO. 107-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE VACATION AND ABANDONMENT OF INTEREST OF PORTIONS OF FLADELL'S WAY (FORMERLY KNOWN AS AVENUE F), CONTAINING 0.283 ACRES, AND AVENUE G, CONTAINING 0.35 ACRES, ACCORDING TO THE DEL RATON PARK PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 9 AND 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING BETWEEN SOUTH FEDERAL HIGHWAY AND FREDERICK BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach, Florida, received an application (2018-039-ABN-PZB) for abandonment of a portion of right-of-way, Fladell's Way (formerly Avenue F), that measures 50.00 feet wide and 246 feet long and contains 0.283 acres, as recorded in Plat Book 14, Pages 9 and 10 of the Public Records of Palm Beach County, Florida, and as more particularly described in Exhibit "A"; and

WHEREAS, the City of Delray Beach, Florida, received an application (2017-062-ABR-CCA) for abandonment of a portion of right-of-way, Avenue G, that measures 50.00 feet wide and 309 feet long and contains 0.35 acres, as recorded in Plat Book 14, Pages 9 and 10 of the Public Records of Palm Beach County, Florida, and as more particularly described in Exhibit "B"; and

WHEREAS, the application for abandonments of portions of said rights-of-ways were processed pursuant to Section 2.4.6(M), "Abandonment of Rights-of-Way", 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 applications were forwarded to the City Commission with the recommendations that the abandonments be approved on a vote of 5-0, based upon positive findings by the Planning and Zoning Board at its meeting of May 21, 2018; and,

WHEREAS, the City Commission of the City of Delray Beach, Florida, pursuant to LDR Section 2.4.6(M)(5), finds that there is not, nor will there be, a need for the use of the rights-of-ways for any public purpose (Policy A-6.3 of the Transportation Element); that the abandonments do not, nor will not, prevent access to a lot of record; that the abandonments will not result in detriment for the provision of access and/ or utility services to adjacent properties or the general area; and deems it to be in the best interest of the City of Delray Beach to vacate and abandon portions of said rights-of-ways, as more particularly described in Exhibit "A."

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

Section 1. That the forgoing recitals are hereby incorporated herein by this reference and are approved

and adopted.

Section 2. That pursuant to Chapter 177 and Chapter 166 of the Florida Statutes, the City of Delray Beach hereby vacates and abandons all rights and interests it holds to the following public rights-of-way, more particularly described as follows:

See Exhibits “A” and “B” attached hereto.

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

PASSED AND ADOPTED in regular session on the__day of ____, 2019.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, MAYOR

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

EXHIBIT "A"



947 Clint Moore Road
Boca Raton, Florida 33487

SURVEYING & MAPPING
Certificate of Authorization No. LB7264

Tel: (561) 241-9988
Fax: (561) 241-5182

SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)

AVENUE F - DEL RATON PARK

LEGAL DESCRIPTION

A PORTION OF AVENUE F, "DEL RATON PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14 AT PAGES 9 AND 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 22 BLOCK 24 OF SAID PLAT; THENCE SOUTH $86^{\circ} 39' 32''$ WEST, ALONG THE NORTH LINE OF SAID BLOCK 24, A DISTANCE OF 144.65 FEET; THENCE NORTH $82^{\circ} 14' 43''$ WEST, ALONG SAID NORTH LINE, A DISTANCE OF 106.65 FEET; THENCE NORTH $07^{\circ} 45' 17''$ EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH $82^{\circ} 14' 43''$ EAST, ALONG THE SOUTH LINE OF BLOCK 23 OF SAID PLAT, A DISTANCE OF 101.80 FEET; THENCE NORTH $86^{\circ} 39' 32''$ EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 139.79 FEET TO THE SOUTHEAST CORNER OF LOT 11 BLOCK 23 OF SAID PLAT; THENCE SOUTH $03^{\circ} 20' 28''$ EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

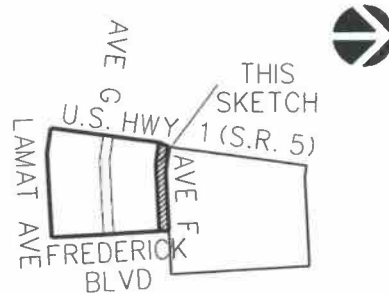
SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, AND CONTAIN 0.283 ACRES, MORE OR LESS.

ABBREVIATIONS

L.B.	-	LICENSED BUSINESS
L.S.	-	LICENSED SURVEYOR
O.R.B.	-	OFFICIAL RECORDS BOOK
P.O.B.	-	POINT OF BEGINNING
P.B.	-	PLAT BOOK
P.B.C.R.	-	PALM BEACH COUNTY RECORDS
PG.	-	PAGE
P.S.M.	-	PROFESSIONAL SURVEYOR & MAPPER
R/W	-	RIGHT-OF-WAY
U.E.	-	UTILITY EASEMENT

NOTES


1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED OR REFERENCED IN THE PREPARATION OF THIS SURVEY.
3. BEARINGS SHOWN HEREON ARE BASED ON A GRID BEARING OF NORTH $07^{\circ} 45' 17''$ EAST, ALONG THE EAST LINE OF STATE ROAD NO. 5, ACCORDING TO PALM BEACH COUNTY CONTROL MONUMENTS, "DIXIE LAMATRA" AND "McCARTHY".



LOCATION MAP
N.T.S.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.


JEFF S. GODAPP
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS5111



Project Name:	DEL RATON PARK	DATE:	2/21/2018
JOB NO.	16166	DWG BY:	JSH
		CK'D By:	TP
			SHEET 1 OF 2

EXHIBIT "A"

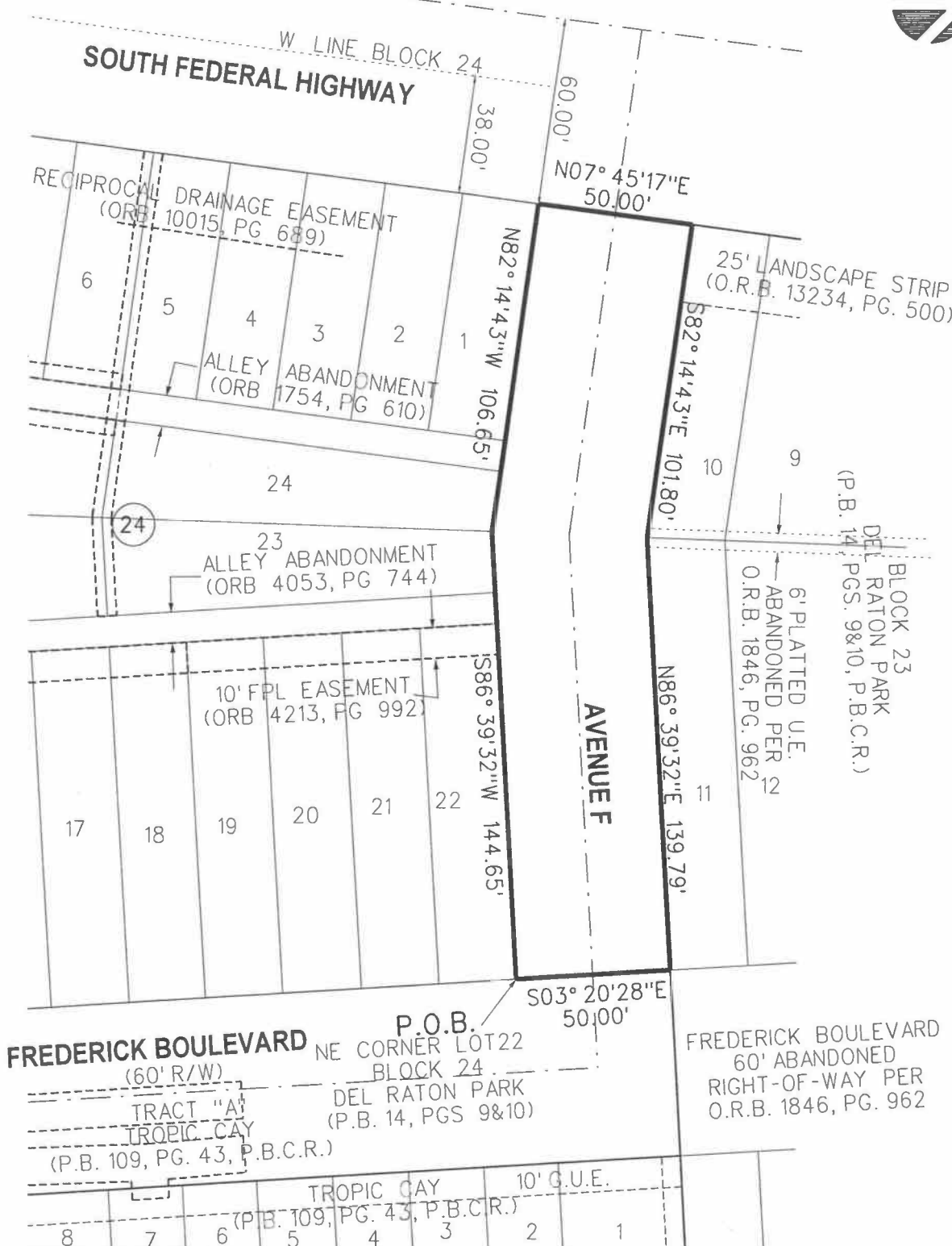


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SKETCH AND LEGAL DESCRIPTION (NOT A SURVEY)



JOB NO.	16166	Project Name:	DEL RATON PARK	DWG BY:	JSH	SCALE:	1"=50'
		CK'D By:	TP	DATE:	2/21/2018		SHEET 2 OF 2

EXHIBIT "B"



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LEGAL DESCRIPTION

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BEGINNING AT THE NORTHEAST CORNER OF LOT 23 BLOCK 25 OF SAID PLAT; THENCE SOUTH 86° 39' 32" WEST, ALONG THE NORTH LINE OF SAID BLOCK 25, A DISTANCE OF 173.79 FEET; THENCE NORTH 82° 14' 43" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 135.79 FEET; THENCE NORTH 07° 45' 17" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 82° 14' 43" EAST, ALONG THE SOUTH LINE OF BLOCK 24 OF SAID PLAT, A DISTANCE OF 130.93 FEET; THENCE NORTH 86° 39' 32" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 168.93 FEET TO THE SOUTHEAST CORNER OF LOT 13 BLOCK 24 OF SAID PLAT; THENCE SOUTH 03° 20' 28" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, AND CONTAIN 0.350 ACRES, MORE OR LESS.

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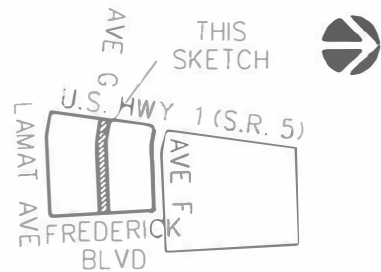
NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. EASEMENTS AND RIGHTS-OF-WAY LISTED WITHIN THE RESTRICTIONS/ EASEMENTS SECTION OF TITLE SEARCH REPORT 378944 AND 377403-2, AS PREPARED BY ATTORNEYS' TITLE FUND SERVICES, LLC, PREPARED DATES: NOVEMBER 4, 2016 AND NOVEMBER 22, 2016, HAVE BEEN SHOWN OR LISTED HEREON.
3. BEARINGS SHOWN HEREON ARE BASED ON A GRID BEARING OF NORTH 07° 45' 17" EAST, ALONG THE EAST LINE OF STATE ROAD NO 5, ACCORDING TO PALM BEACH COUNTY CONTROL MONUMENTS, "DIXIE LAMATRA" AND "McCarthy".

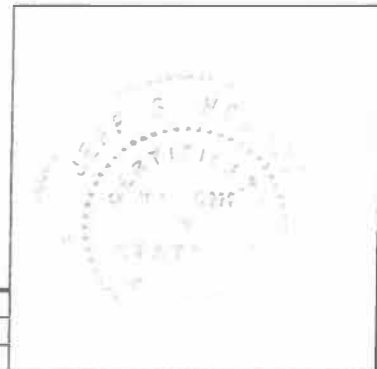
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JEFF S. HODAPP
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS5111



LOCATION MAP
N.T.S.



Project Name:	DEL RATON PARK	DATE:	12/01/2016
JOB NO.	16166	DWG BY:	JSH
		CK'D BY:	JEK
			SHEET 1 OF 2

EXHIBIT "B"

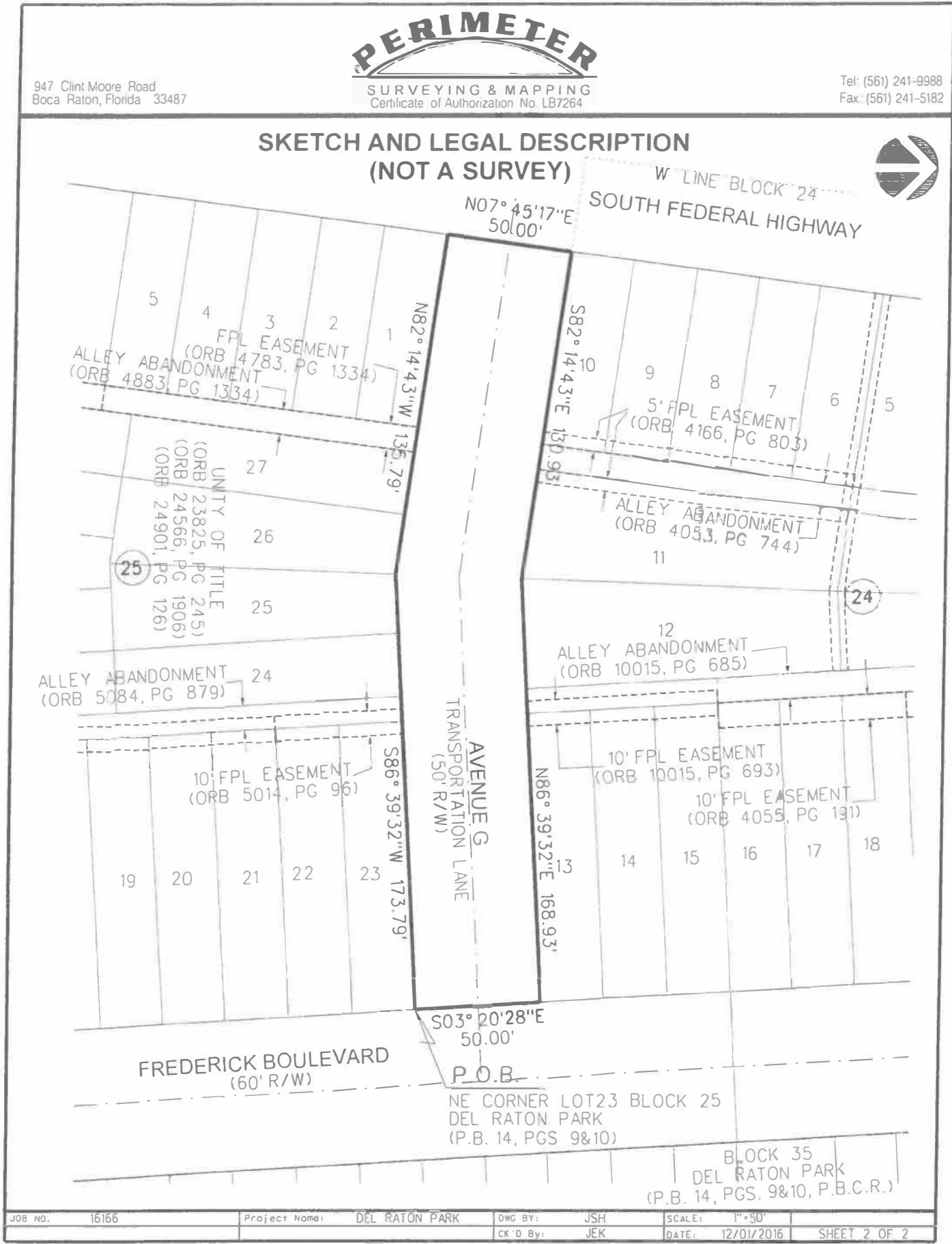


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