

RESOLUTION NO. 14-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, VACATING AND ABANDONING TWO ALLEYWAYS ASSOCIATED WITH THE UPTOWN ATLANTIC PROJECT WITH ONE ALLEY BEING A PORTION OF BLOCK 2 BELAIR HEIGHTS AS RECORDED IN PLAT BOOK 20 PAGE 45, LOCATED IN THE 800 BLOCK OF ATLANTIC AVE BETWEEN SW 9TH AVENUE AND SW 1ST STREET AVENUE AND CONTAINING 5,734 SQUARE FEET, AND THE SECOND ALLEY BEING A PORTION OF BLOCK 5 DELRAY BEACH FL AS RECORDED IN PLAT BOOK 23 PAGE 72, LOCATED IN 700 BLOCK OF WEST ATLANTIC AVE BETWEEN SW 8TH AVE AND SW 7TH AVE AND CONTAINING 4,437 SQUARE FEET, WITH BOTH ALLEYS BEING LOCATED ON THE SOUTH SIDE OF WEST ATLANTIC AVENUE AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Delray Beach, Florida received an application for abandonment of two public alleyways that measure between 14.00 feet to 16.00 feet wide and as recorded in Plat book 20 page 45 and Plat book 23 page 72 of the Public Records of Palm Beach County, Florida, and as more particularly described in Exhibit "A"; and

WHEREAS, the application for abandonment of a portion of said right-of-way was 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 application was forwarded to the City Commission with the recommendation that the abandonment 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(M)(5), finds that there is not, nor will there be, a need for the use of the right-of-way for any public purpose (Policy A-6.3 of the Transportation Element); that the abandonment does not, nor will not, prevent access to a lot of record; that the abandonment 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 a portion of said alleys, 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.

Section 2. That pursuant to Chapter 177 and Chapter 166 of the Florida Statutes, it is hereby determined to vacate and abandon all rights and interests it holds to the following alley rights-of way, more particularly described as follows:

See Exhibit "A" attached hereto

PASSED AND ADOPTED in regular session on the _____ day of __, 2016.

M A Y O R

ATTEST:

City Clerk