

RESOLUTION NO. 121-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE ABANDONMENT OF A GENERAL UTILITY EASEMENT CONTAINING 1,184 SQUARE FEET, AND A SEWER EASEMENT CONTAINING 453 SQUARE FEET, WHICH WERE DEDICATED TO THE CITY OF DELRAY BEACH AS RECORDED IN THE METROPOLITAN AT DELRAY REPLAT, PLAT BOOK 123, PAGES 52 AND 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, RUNNING PARALLEL TO THE ALLEY EAST OF SE 3<sup>RD</sup> AVENUE, NORTH OF SE 1<sup>ST</sup> STREET, AS MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" AND "B", PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach, Florida, received an application (2019-039-ABR-CCA) for abandonment of a general utility easement that measures 10-12 feet wide and 111 feet long containing 1,184 square feet, and a sewer easement that measures 2 feet wide and 226 feet long containing 453 square feet, as recorded in the Metropolitan at Delray Replat, Plat Book 123, Pages 52 and 53, of the public records of Palm Beach County, and as more particularly described in Exhibits "A" and "B"; and

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

WHEREAS, no utilities or sewer infrastructure has been constructed within the platted easement areas; and

WHEREAS, the approved site plan for the Metropolitan at Delray was superseded by an approved site plan for Delray City Market that requires a General Utility Easement in a different location and does not require a sewer easement; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, pursuant to LDR Section 2.4.6(N)(5), finds that the abandonments will not result in detriment for the provision of utility services or sewer service to adjacent properties or the general area; and

WHEREAS, upon approval by the City Commission, the resolution be recorded with Exhibits "A" and "B" (sketch and legal descriptions) and noted on the Metropolitan at Delray, Plat Book 123, Page 52 of the Official Records of Palm Beach County.

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 rights and interest it holds to the following real property, more particularly described as follows:

EXHIBITS "A" and "B"

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

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

\_\_\_\_\_  
Katerri Johnson, City Clerk

\_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

EXHIBIT "A"

DESCRIPTION:

THE GENERAL UTILITY EASEMENT (G.U.E.), BEING A PORTION OF PARCEL A, AS SHOWN ON THE PLAT OF METROPOLITAN AT DELRAY, AS RECORDED IN PLAT BOOK 123, PAGES 52 AND 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID PARCEL A; THENCE, DEPARTING SAID SOUTH LINE OF PARCEL A, N01°32'36"W, A DISTANCE OF 10.86 FEET; THENCE S88°27'24"W, A DISTANCE OF 2.00 FEET; THENCE N01°32'36"W, A DISTANCE OF 36.33 FEET; THENCE N88°27'24"E, A DISTANCE OF 2.00 FEET; THENCE N01°32'36"W, A DISTANCE OF 63.83 FEET; THENCE N88°27'24"E, A DISTANCE OF 10.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID PARCEL A; THENCE, ALONG THE EAST LINE OF SAID PARCEL A AND THE SOUTHERLY PROJECTION THEREOF, S01°32'36"E, A DISTANCE OF 111.17 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY PROJECTION OF THE SAID SOUTH LINE OF PARCEL A; THENCE, ALONG SAID EASTERLY PROJECTION S89°19'24"W, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,184 SQUARE FEET/0.0727 ACRES OF LAND MORE OR LESS.

SAID LANDS SITUATE IN SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO RIGHTS-OF-WAY EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS OF WAY OF RECORD.

LEGEND/ABBREVIATIONS

CL - CENTERLINE  
D.E. - DRAINAGE EASEMENT  
G.U.E. - GENERAL UTILITY EASEMENT

LB - LICENSED BUSINESS  
O.R.B. - OFFICIAL RECORD BOOK

PB - PLAT BOOK  
PG(S) - PAGE(S)

NOTES

- 1. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE ARE BASED ON GRID BEARING OF N07°49'29"E ALONG THE WEST LINE OF METROPOLITAN AT DELRAY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 123, PAGES 52 AND 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;.
4. THE "LAND DESCRIPTION" HEREON PREPARED BY THE SURVEYOR.
5. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.
7. RECORDING INFORMATION SHOWN HEREON IS OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON APRIL 29, 2019. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 3



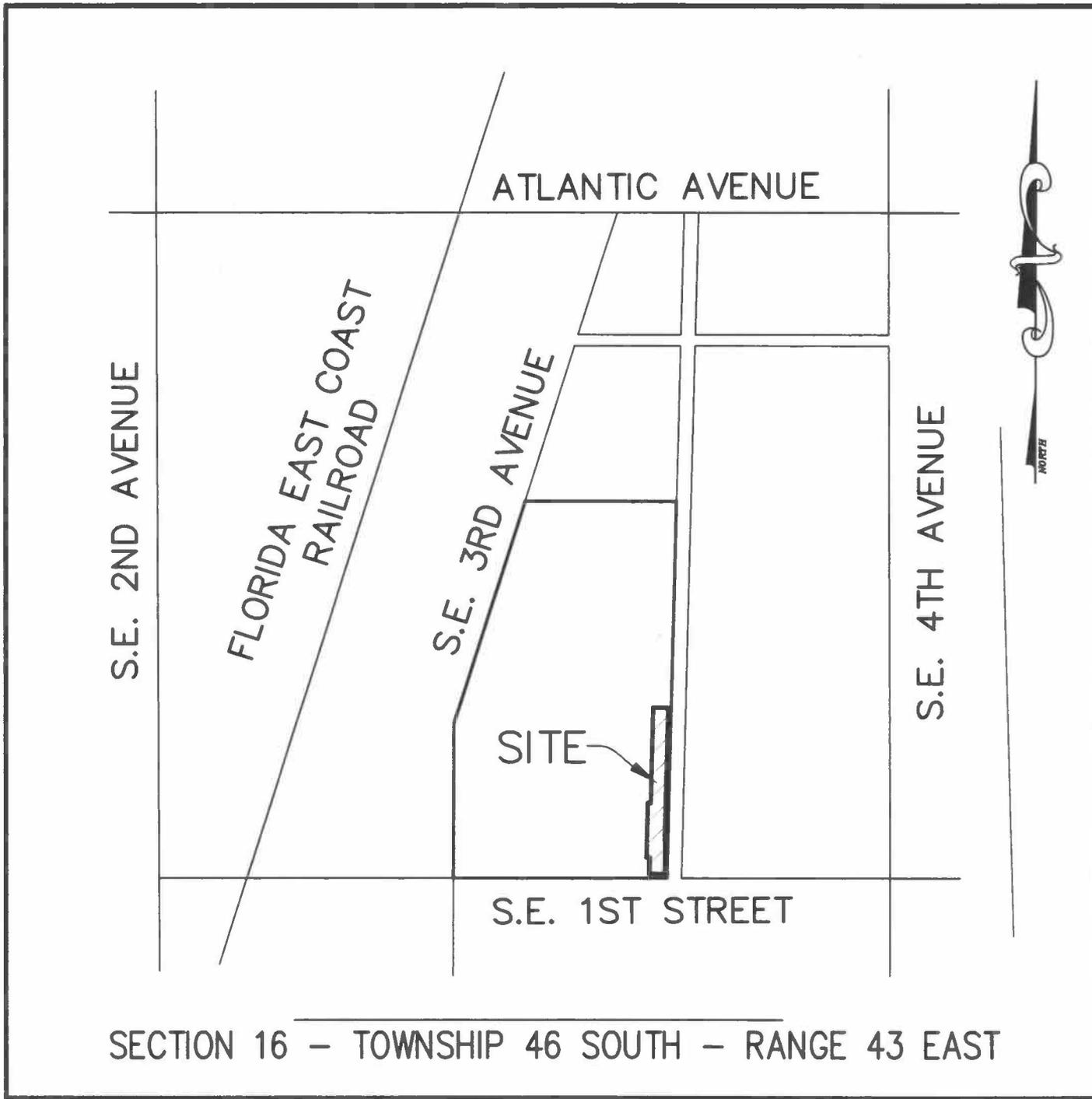
CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7301A W. PALMETTO PARK ROAD - SUITE 1000
BOCA RATON, FLORIDA 33433
PHONE (561)-392-1991 / FAX (561)-750-1552



Table with 2 columns: Field Name and Value. Fields include DATE (05/13/19), DRAWN BY (DLS), F.B./ PG. (NONE), SCALE (NONE), and JOB (N06820GUEAB2).

DELRAY CITY MARKET
GENERAL UTILITY EASEMENT TO BE ABANDONED
SKETCH OF DESCRIPTION



SECTION 16 - TOWNSHIP 46 SOUTH - RANGE 43 EAST

*LOCATION MAP*

NOT TO SCALE

SHEET 2 OF 3



**CAULFIELD & WHEELER, INC.**

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PHONE (561)-392-1991 / FAX (561)-750-1452

DATE 05/13/19

DRAWN BY DLS

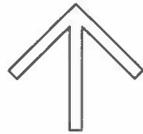
F.B./ PG. NONE

SCALE NONE

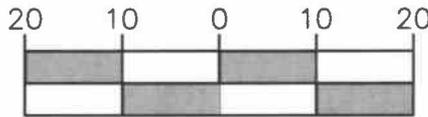
JOB NO6820GUEAB2

**DELRAY CITY MARKET  
GENERAL UTILITY EASEMENT TO BE ABANDONED  
SKETCH OF DESCRIPTION**

EXHIBIT "A"



NORTH



GRAPHIC SCALE  
(IN FEET)

NOTES

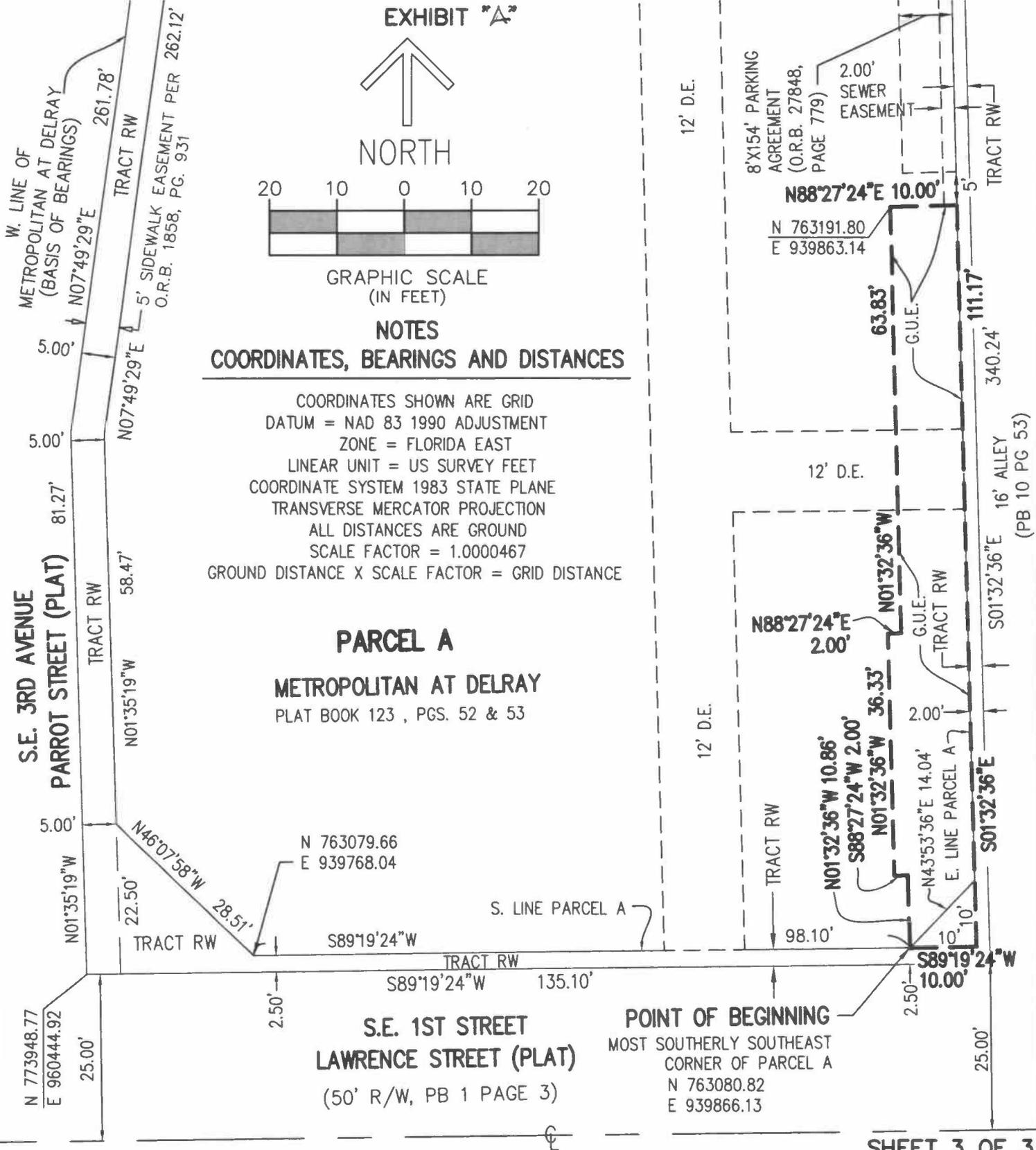
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID  
 DATUM = NAD 83 1990 ADJUSTMENT  
 ZONE = FLORIDA EAST  
 LINEAR UNIT = US SURVEY FEET  
 COORDINATE SYSTEM 1983 STATE PLANE  
 TRANSVERSE MERCATOR PROJECTION  
 ALL DISTANCES ARE GROUND  
 SCALE FACTOR = 1.0000467  
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

PARCEL A

METROPOLITAN AT DELRAY

PLAT BOOK 123 , PGS. 52 & 53



SHEET 3 OF 3



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DELRAY CITY MARKET  
 GENERAL UTILITY EASEMENT TO BE ABANDONED  
 SKETCH OF DESCRIPTION

DATE	05/13/19
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	1"=20'
JOB	N06820GUEAB2

EXHIBIT "B"

DESCRIPTION:

THE 2.00 FOOT SEWER EASEMENT, BEING A PORTION OF EAST 2.00 FEET OF PARCEL A, AS SHOWN ON THE PLAT OF METROPOLITAN AT DELRAY, AS RECORDED IN PLAT BOOK 123, PAGES 52 AND 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL A; THENCE, ALONG THE EAST LINE OF PARCEL A, S01°32'36"E, A DISTANCE OF 226.56 FEET; THENCE, DEPARTING SAID EAST LINE, S88°27'24"W, A DISTANCE OF 2.00 FEET TO A POINT ON A LINE 2.00 FEET WEST OF AND PARALLEL WITH THE SAID EAST LINE OF PARCEL A; THENCE, ALONG SAID PARALLEL LINE, N01°32'36"W, A DISTANCE OF 226.59 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID PARCEL A; THENCE, ALONG SAID NORTH LINE N89°19'23"E, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 453 SQUARE FEET/0.0104 ACRES OF LAND MORE OR LESS.  
SAID LANDS SITUATE IN SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.  
SUBJECT TO RIGHTS-OF-WAY EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS OF WAY OF RECORD.

LEGEND/ABBREVIATIONS

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- G.U.E. - GENERAL UTILITY EASEMENT
- LB - LICENSED BUSINESS
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- PB - PLAT BOOK
- PG(S). - PAGE(S)

NOTES

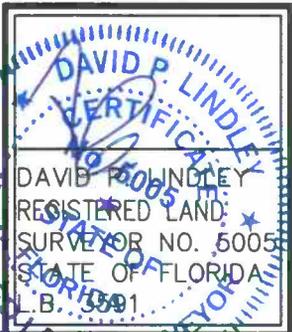
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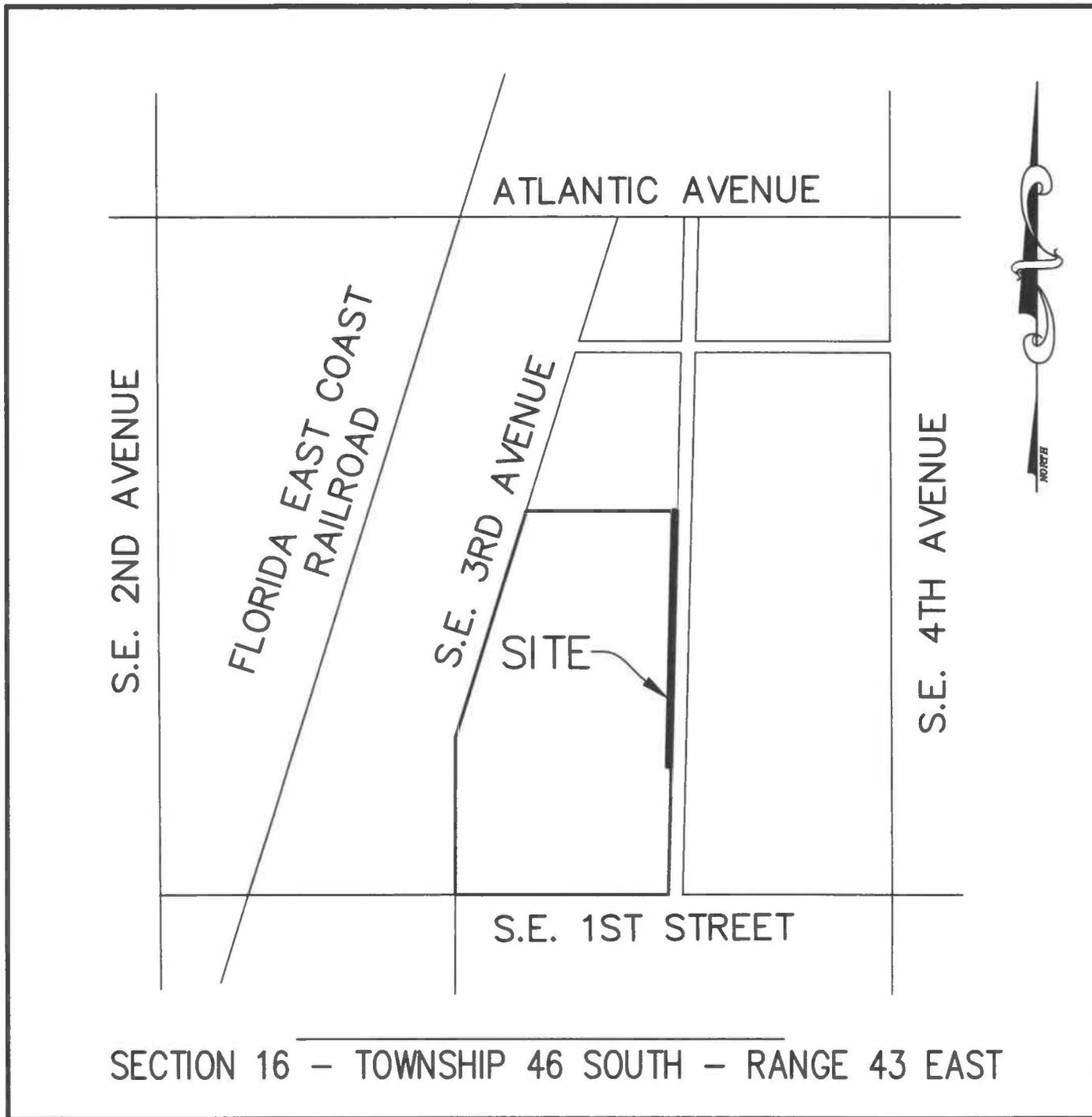
**CAULFIELD & WHEELER, INC.**  
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 LANDSCAPE ARCHITECTURE - SURVEYING  
 7301A W. PALMETTO PARK ROAD - SUITE 100A  
 BOCA RATON, FLORIDA 33433  
 PHONE (561)-392-1991 / FAX (561)-750-1426



DAVID P. LINDLEY  
 REGISTERED LAND SURVEYOR NO. 50055  
 STATE OF FLORIDA  
 L.B. 3591

DATE	05/13/19
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	NONE
JOB NO.	6820SEAB2

DELRAY CITY MARKET  
SEWER EASEMENT TO BE ABANDONED  
SKETCH OF DESCRIPTION



SECTION 16 – TOWNSHIP 46 SOUTH – RANGE 43 EAST

### LOCATION MAP

NOT TO SCALE

SHEET 2 OF 4



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**DELRAY CITY MARKET  
 SEWER EASEMENT TO BE ABANDONED  
 SKETCH OF DESCRIPTION**

DATE 05/13/19

DRAWN BY DLS

F.B./ PG. NONE

SCALE NONE

JOB NO. 6820SEAB2

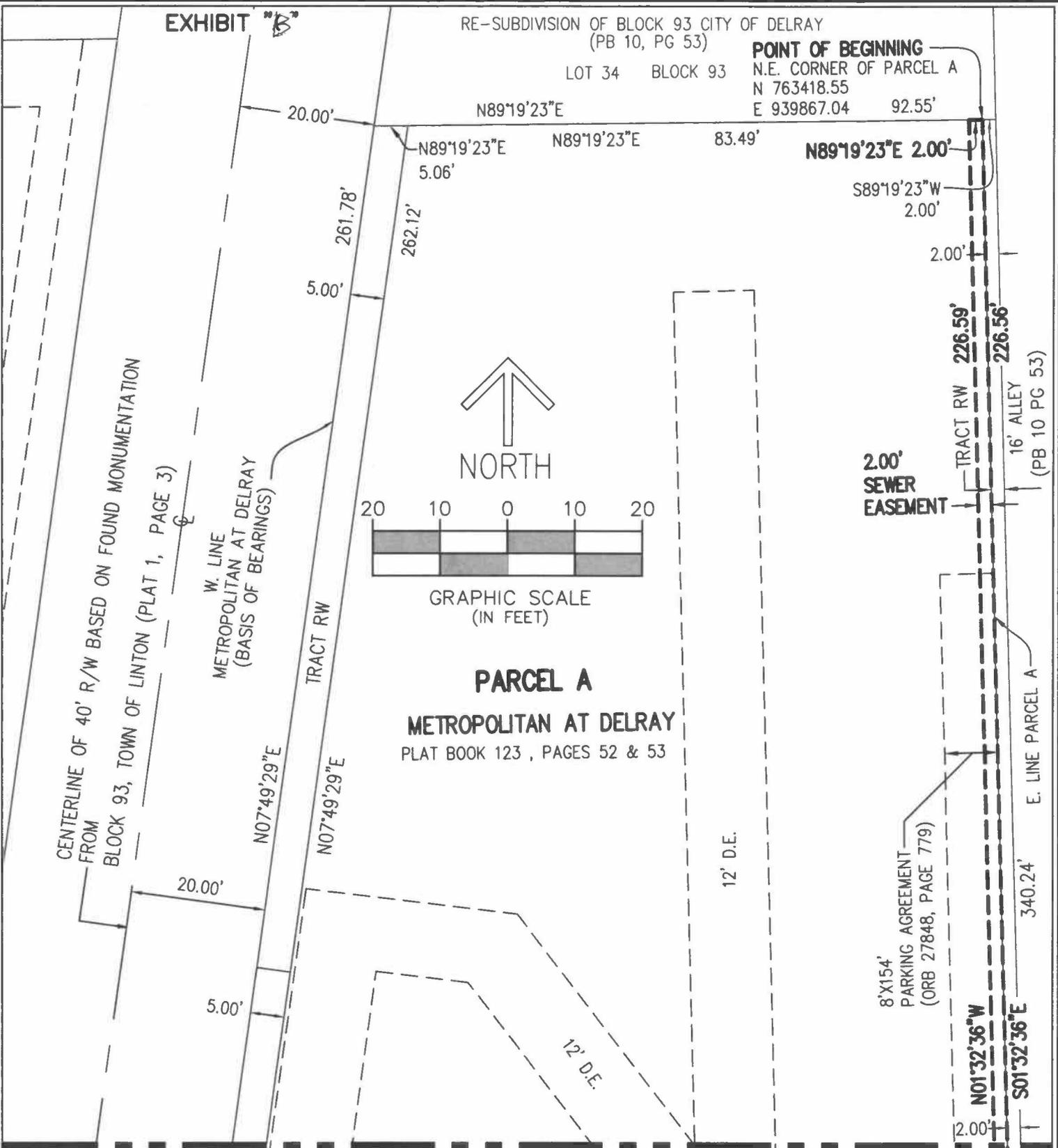
EXHIBIT "B"

RE-SUBDIVISION OF BLOCK 93 CITY OF DELRAY  
(PB 10, PG 53)

LOT 34 BLOCK 93

POINT OF BEGINNING

N.E. CORNER OF PARCEL A  
N 763418.55  
E 939867.04 92.55'

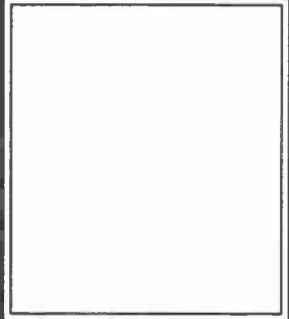


MATCHLINE SEE SHEET 4 OF 4

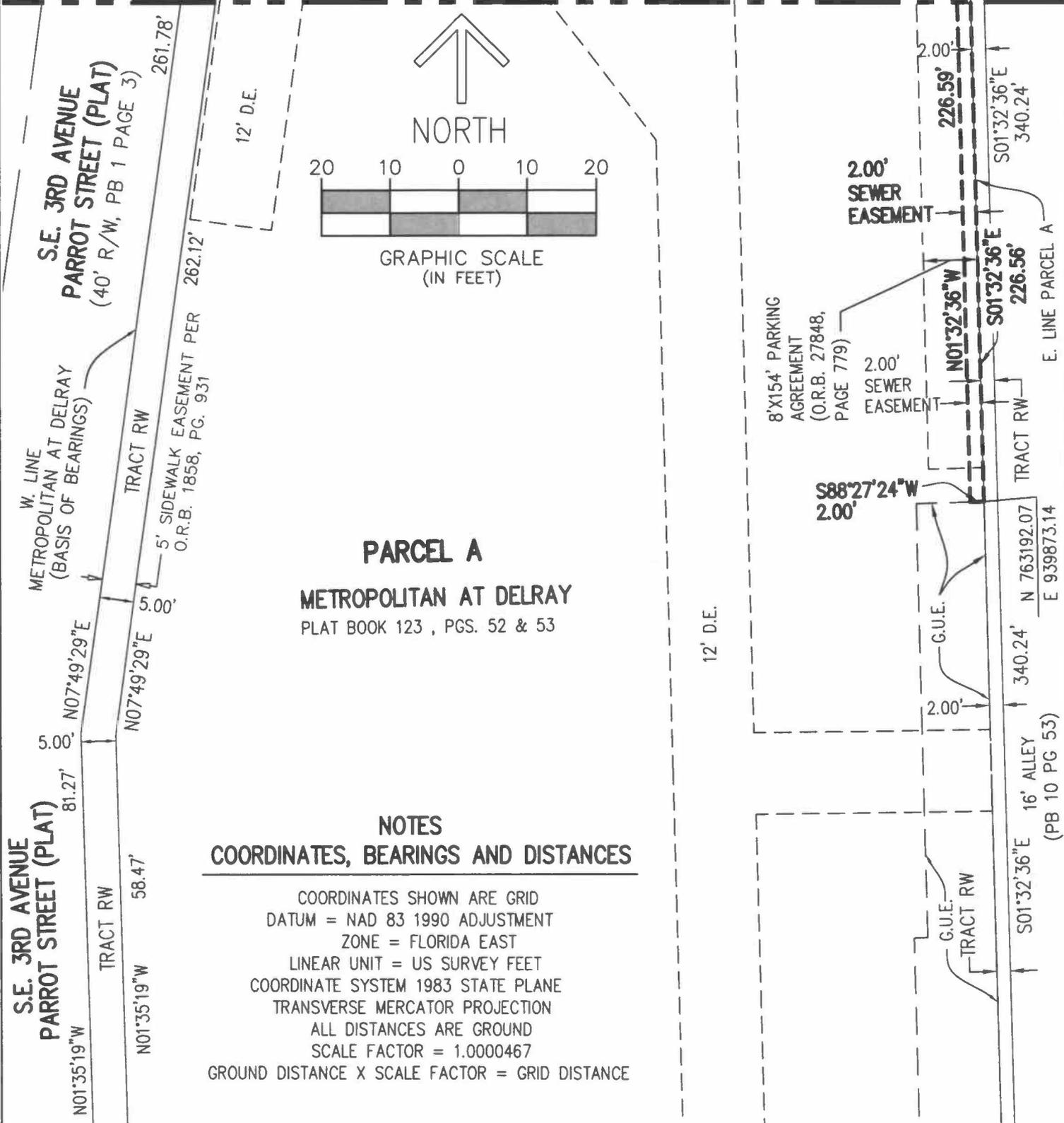
SHEET 3 OF 4

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**DELRAY CITY MARKET  
SEWER EASEMENT TO BE ABANDONED  
SKETCH OF DESCRIPTION**

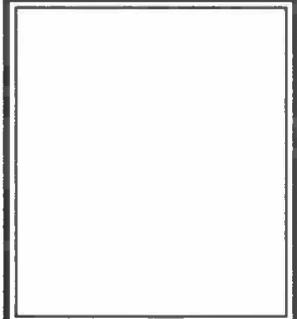


DATE	05/13/19
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	1"=20'
JOB NO.	6820SEAB2



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**DELRAY CITY MARKET**  
**SEWER EASEMENT TO BE ABANDONED**  
**SKETCH OF DESCRIPTION**



DATE	05/13/19
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	1"=20'
JOB NO.	6820SEAB2