

RESOLUTION NO. 25-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, VACATING AND ABANDONING THE PUBLIC UTILITY EASEMENT LOCATED ON THE PROPERTY AT 1126 WATERWAY LANE, 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 utility easement dedicated via the Plat of "Water Way Lane" as recorded in Plat Book 18, Page 100 of the Public Records of Palm Beach County, Florida located at 1126 Waterway Lane, and as more particular described in Exhibit "A"; and

WHEREAS, the application for abandonment of said public utility 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; 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 utility 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, 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 right and interest it holds to the following real property, more particularly described in Exhibit "A".

PASSED AND ADOPTED in regular session on the \_\_\_\_\_ day \_\_\_\_\_, 2019.

ATTEST:

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

\_\_\_\_\_  
MAYOR

Approved as to Form and Legal Sufficiency:

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Lynn Gelin, Interim City Attorney