

RESOLUTION NO. R-73-313

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163¹ and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 73-58 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 May 1973.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of May, 1973, that petition No. 73-58, the petition of WILLIAM F. MITCHELL, TRUSTEE, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE SHOPPING CENTER INCLUDING A SUPER MARKET, DRUG STORE, DEPARTMENT STORES AND SPECIALTY SHOPS on all of the Northwest 1/4 of the Southwest 1/4 of Section 13, Township 46 South, Range 42 East, excepting therefrom those certain portions or parcels thereof heretofore conveyed by deeds of record in Deed Book 837, page 385, as corrected in Official Record Book 374, page 415, Deed Book 1078, page 274 and Deed Book 623, page 328, Official Record Book 822, page 556, and Official Record Book 1318, page 571: also less a certain portion thereof, now leased to Phillips Petroleum Company, said portion being approximately the South 241 feet of the West 200 feet of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 13; also less and except that parcel conveyed to Florida Power & Light Company, described as follows: a parcel of land in the

North 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 13, more particularly described as follows: commence at **the Southwest** corner of the North 1/2 .of the Northwest 1/4 of the Southwest 1/4 of said Section 13; thence North 89° 45' 53" East along the South line of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 13, a distance of 10.63 feet to a point in the Easterly right-of-way line of Military Trail (S.R. 809) and the Point of Beginning, said point being the Southwest corner of the parcel of land herein described; thence North 0° 57' 57" West along the said Easterly right-of-way line of Military Trail (S.R. 809), a distance of 250.00 feet to a point; thence North 89° 45' 53" East, a distance of 329.69 feet to a point; thence South 0° 57' 57" East, a distance of 250.00 feet to a point in the South line of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 13; thence South 89° 45' 53" West along the said South line of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 13, a distance of 329.69 feet to the Point of Beginning; said excepted parcel containing 1.89 acres, more or less; also less a parcel of land commencing at a point in the North right-of-way line of State Road No. 806 (Delray West Road); then run Easterly along the North right-of-way of State Road No. 806, a distance of 250.00 feet to a point; then run Northerly parallel to the North-South quarter section line, a distance of 217 feet; then run West parallel to the North right-of-way line of State Road No. 806, a distance of 410 feet more or less to a point in the East right-of-way line of State Road No. 809 (Military Trail); thence run South along the East right-of-way line of State Road No. 809, a distance of 50 feet more or less to the Northwest corner of lands owned by C & P Investment Corporation of Florida described in Official Record Book 1930, page 1461; then run East along the North boundary of C & P Investment Corporation's lands aforesaid, a distance of 160 feet more or less, to the Northeast corner of said lands owned by C & P Investment Corporation aforesaid; then run South along the South boundary of said lands owned by C & P Investment Corporation aforesaid to the Point of Beginning; also less the West 200 feet of the South 217.93 feet and less the North 62.07 feet of the South

277 feet of the West 610 feet of the above described property; subject to easements and rights-of-way of record. Said property located on the east side of Military Trail (S.R. 809) and the north side of Delray Road (S.R. 806), was approved as advertised subject to the following conditions:

- 1) Dedicate the right-of-way required to complete a sixty (60) foot half section of right-of-way for **Military Trail**;
- 2) Dedicated right-of-way to be conveyed to the County Right-of-Way Department.

The foregoing resolution was offered by Commissioner Weaver who moved its adoption. The motion was seconded by Commissioner **Culpepper**, and upon being put to a vote, the vote was as follows:

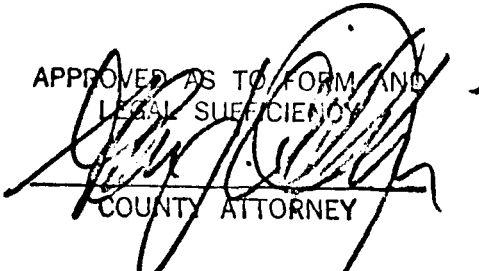
Lake Lytal	- aye
E. W. Weaver	- aye
Robert C. Johnson	- aye
George V. Warren	- absent
Robert F. Culpepper	- aye

The Chairman thereupon declared the resolution duly passed and adopted this **5th** day of June, 1973.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Marjorie B. Jennings
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

COUNTY ATTORNEY