

RESOLUTION NO. R- 86-325

RESOLUTION AMENDING RESOLUTION NO. R-85-569  
RESOLUTION APPROVING ZONING PETITION OF NYDAL DEVELOPMENT INC.  
AND PAUL S. COWAN, FRANK AND FLORINE WEATHERLY, PETITION NO. 84-159

WHEREAS, Nydal Development Inc. and Paul S. Cowan, Frank and Florine Weatherly, petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, sitting as the final zoning authority, on December 5, 1984 and January 1, 1985, respectively, for the rezoning from RM-Residential Multiple Family District (Medium Density) to CG-General Commercial District and the Further Special Exception to allow a Planned Commercial Development on property located on the southwest corner of the intersection of PGA Boulevard and Ellison-Wilson Road, being bounded on the west by the Intracoastal Waterway; and

WHEREAS, Resolution No. R-85-569 adopted April 9, 1985 confirming the action of the Board of County Commissioners sitting as the final zoning authority on January 1, 1985 inadvertently contained an error in the legal description; and

WHEREAS, the legal description of said zoning resolution, read as follows:

on the North 1/4 of the Northeast 1/4 of the Southeast 1/4, East of the Florida Inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, the south 150 feet and the Easterly 192.75 feet thereof. Subject to the Right-of-way of the Intracoastal Waterway as Established in Plat Book 17, page 29. Subject to the Right-of-way for P.G.A. Boulevard (S.R. No. 74) as shown on the Right-of-way map as recorded in Road Plat Book 5, page 190, together with West 100 feet of East 140 feet of North 100 feet of South 150 feet of North 1/4 of Northeast 1/4 of Southeast 1/4 lying east of Find Canal, Section 5, Township 42 South, Range 43 East. Subject to road easement over the Southern 15 feet for Shady Lane, together with a parcel of land in the North 1/4 of the Northeast 1/4 of the Southeast 1/4 of the Florida Inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, Less the South 150 feet thereof. Said property lying 187.13 feet on Ellison-Wilson Road, and being more particularly described as that part of the Easterly 192.75 feet of said parcel lying West of Ellison-Wilson road and South of P.G.A. Boulevard.

WHEREAS, the legal description of said zoning resolution

should have read:

on the North 1/4 of the Northeast 1/4 of the Southeast 1/4, East of the Florida Inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, less the South 150 feet and the Easterly 192.75 feet thereof. Subject to the Right-of-way of the Intracoastal Waterway as Established in Plat Book 17, page 29. Subject to the Right-of-way for P.G.A. Boulevard (S.R. No. 74) as shown on the Right-of-way map as recorded in Road Plat Book 5, page 190, together with West 100 feet of East 140 feet of North 100 feet of South 150 feet of North 1/4 of Northeast 1/4 of southeast 1/4 lying East of Find Canal, Section 5, Township 42 South, Range 43 East. Subject to road easement over the Southern 15 feet for Shady Lane, together with a parcel of land in the North 1/4 of the Northeast 1/4 of the Southeast 1/4 East of the Florida Inland Navigation District Canal in Section 5, Township 42 South, Range 43 East, Less the South 150 feet thereof. Said property lying 187.13 feet on Ellison-Wilson Road, and being more particularly described as that part of the Easterly 192.75 feet of said parcel lying West of Ellison-Wilson Road and South of P.G.A. Boulevard.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. The legal description of Resolution No. R-85-569 is amended.

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

Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, Vice Chairman	--	AYE
Kenneth M. Adams, Member	--	AYE
Kenneth Spillias, Member	--	AYE
Dorothy Wilken, Member	--	AYE

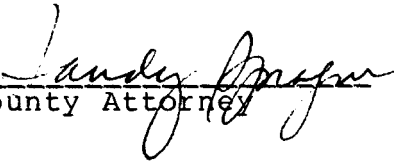
The Chairman thereupon declared the resolution duly passed and adopted this 11th day of March, 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney