

RESOLUTION NO. R-92- 1558

RESOLUTION AMENDING RESOLUTION NO. R-90-61
RESOLUTION APPROVING ZONING PETITION OF THE ENGLE GROUP, INC.
PETITION NO. 89-63

WHEREAS, THE ENGLE GROUP, INC. petitioned the Palm Beach County Planning, Commission and the Board of County Commissioners, sitting as the final zoning authority, on July 6, 1989 and July 27, 1989, respectively, for a SPECIAL EXCEPTION TO PERMIT A PLANNED COMMERCIAL DEVELOPMENT INCLUDING 1) A LARGE SCALE COMMUNITY SHOPPING CENTER IN EXCESS OF 50,000 SQUARE FEET OF FLOOR AREA; 2) AN AUTOMOBILE SERVICE STATION (NO REPAIRS); AND 3) A CAR WASH; and

WHEREAS, Resolution No. R-90-61 adopted January 2, 1990, confirming the action of the Board of County Commissioners sitting as the final zoning authority on July 27, 1989, inadvertently contained an error in the legal description; and

WHEREAS, the legal description of Resolution No. R-90-61 reads as follows:

"on a parcel of land lying on a portion of Block 33, Palm Beach Farms Company Plat N0.3, Plat Book 2, Pages 45 through 54, in Sections 31 and 32, Township 44 South, Range 43 East, described as follows: Commencing at the intersection of the West line of Tract 84, said Block 33, with a line that is 40.00 feet North of and parallel with the South line of said Section 31, said line being the North Right-of-way line of Lantana Road (S.R. 812); thence South 87 Degrees 57' 25" East (true bearing datum according the Right-of-way map of Lantana West Road, Section No. 9353-151, dated January, 1953) along said 40.00 foot Right-of-way line, 70.08 feet to a point which intersects said 40.00 foot Right-of-way line, with a line distant East, 70.00 feet by rectangular measurement from the said West line of Tract 84, said point being the Point of Beginning of this description; thence continue South 87 Degrees 57' 25" East along said 40.00 foot Right-of-way line,

43.55 feet; thence south 88 Degrees 04' 24" East continuing along said 40.00 foot Right-of-way line, 602.36 feet; thence North 01 Degrees 55' 36" East, 20.00 feet to a permanent reference monument marking the southwesterly corner of Lakes of Sherbrooke Phase 6; thence North 45 Degrees 57 Degrees 48" East along the Westerly line, 212.43 feet to a permanent reference being a point of curvature; thence Northwesterly along said Westerly line being an arc of a curve concave to the Southwest having a radius of 300.00 feet, a central angle of 31 Degrees 05' 30", an arc distance of 162.80 feet to the end of said Phase 6; thence continue Northwesterly along the arc of the same curve having a central angle of 41 Degrees 02' 51", an arc distance of 214.92 feet to a point of reverse curve, concave to the Northeast having a radius of 468.57 feet, a central angle of 44 Degrees 24' 07"; thence Northwesterly along the arc of said curve, a distance of 363.12 feet; thence departing said curve, North 68 Degrees 57' 12" West, 32.95 feet; thence South 69 Degrees 49' 49" West, 33.71 feet to a point of curvature; thence Southwesterly along the arc of curve concave to the Northwest having a radius of 266.00 feet, a central angle of 19 Degrees 32' 05", a distance of 90.69 feet; thence South 89 Degrees 21' 55" West along the tangent of said curve, 25.00 feet; thence South 44 Degrees 21' 55" West, 35.36 feet to a point on said line, distance East, 70.00 feet from the West line of Tract 84; thence South 00 Degrees 38' 05" East along said line, 707.45 feet to the Point of Beginning,"; and

WHEREAS, the legal description of said zoning resolution should have read:

on a parcel of land lying on a portion of Block 33, Palm Beach Farms Company Plat No. 3, Plat Book 2, Pages 45 through 54, in Sections 31 and 32, Township 44 South, Range ~~43~~ 42 East, described as follows:

Commencing at the intersection of the West line of Tract 84, said Block 33, with a line that is 40.00 feet North of and

parallel with the South line of said Section 31, said line being the North Right-of-way line of Lantana Road (S.R. 812); thence South 87 Degrees 57' 25" East (true bearing datum according the Right-of-way map of Lantana West Road, Section No. 9353-151, dated January, 1953) along said 40.00 foot Right-of-way line, 70.08 feet to a point which intersects said 40.00 foot Right-of-way line, with a line distant East, 70.00 feet by rectangular measurement from the said West line of Tract 84, said point being the Point of Beginning of this description; thence continue South 87 Degrees 57' 25" East along said 40.00 foot Right-of-way line, 43.55 feet; thence South 88 Degrees 04' 24" East continuing along said 40.00 foot Right-of-way line, 602.36 feet; thence North 01 Degrees 55' 36" East, 20.00 feet to a permanent reference monument marking the Southwesterly corner of Lakes of Sherbrooke Phase 6; thence North 45 Degrees 57 Degrees 48" East along the Westerly line, 212.43 feet to a permanent reference being a point of curvature; thence Northwesterly along said Westerly line being an arc of a curve concave to the Southwest having a radius of 300.00 feet, a central angle of 31 Degrees 05' 30", an arc distance of 162.80 feet to the end of said Phase 6; thence continue Northwesterly along the arc of the same curve having a central angle of 41 Degrees 02' 51", an arc distance of 214.92 feet to a point of reverse curve, concave to the Northeast having a radius of 468.57 feet, a central angle of 44 Degrees 24' 07"; thence Northwesterly along the arc of said curve, a distance of 363.12 feet; thence departing said curve, North 68 Degrees 57' 12" West, 32.95 feet; thence South 69 Degrees 49' 49" West, 33.71 feet to a point of curvature; thence Southwesterly along the arc of curve concave to the Northwest having a radius of 266.00 feet, a central angle of 19 Degrees 32' 05", a distance of 90.69 feet; thence South 89 Degrees 21' 55" West along the tangent of said curve, 25.00 feet; thence South 44 Degrees 21' 55" West, 35.36 feet to a point on said line, distance East, 70.00 feet from the West

line of Tract 84; thence South 00 Degrees 38' 05" East along said line, 707.45 feet to the Point of Beginning,.

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-90-61 is hereby amended.

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

Karen T. Marcus, Chair	--	Aye
Carole Phillips	--	Aye
Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Mary McCarty	--	Absent
Ken Foster	--	Aye
Maude Ford Lee	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27 day of October, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

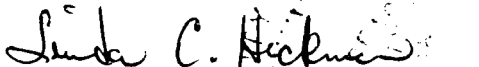
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

MILTON T BAUER, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

