

RESOLUTION NO R-92-1563

RESOLUTION AMENDING RESOLUTION NO R-90-577
RESOLUTION APPROVING ZONING PETITION OF
THE CITY OF BOYNTON BEACH
PETITION NO 89-89

WHEREAS, THE CITY OF BOYNTON BEACH petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, sitting as the final zoning authority, on September 7, 1989 and October 26, 1989, respectively, for a REZONING FROM THE AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO THE PO-PUBLIC OWNERSHIP ZONING DISTRICT (WATER TREATMENT PLANT), and

WHEREAS, Resolution No R-90-577 adopted April 3, 1990 confirming the action of the Board of County Commissioners sitting as the final zoning authority on October 26, 1989, inadvertently contained an error in the legal description, and

WHEREAS, the legal description of Resolution No R-90-577 reads as follows

"on a parcel of land situated in the South 1/2 of Section 23, Township 45 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows Commencing at the Southeast corner of the Southeast 1/4 of said Section 23, thence North 00 Degrees 19' 04" West along the West line of said Southeast 1/4 of Section 23, a distance of 70 45 feet to the existing North right-of-way of S R 804, as recorded in Road Plat Book 1, page 184, of the Public Records of said County, thence North 89 Degrees 19' 04" East along said right-of-way line, a distance of 332 27 feet to the point of beginning

From the point of beginning, continue North 89 Degrees 19' 04" East along said S R 804 right-of-way line, a distance of 332 27 feet, thence North 00 Degrees 02' 02" East a distance of 588 70 feet, thence South 89 Degrees 30' 29" West a distance of 332 05 feet, thence South 00 Degrees 03' 13" West a distance of 589 81 feet to the Point of Beginning Estate sought to be condemned Fee simple absolute for the purpose of construction and maintenance of a water treatment plant and related appurtenances

— Parcel 16

A parcel of land situated in the South 1/2 of Section 23, Township 45 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows Commencing at the Southwest corner of the Southeast 1/4 of said Section 23, thence North 00 Degrees 19' 04" West along the West line of said Southeast 1/4 of Section 23, a distance of 70 45 feet to the existing North right-of-way line of S R 804, as recorded in Road Plat Book 1, page 184, of the Public Records of said County, thence North 89 Degrees 19' 04" East along said right-of-way line, a distance of 40 00 feet to the East line of an 80 00 foot right-of-way for the E-3 Canal and the Point of Beginning

From the point of beginning, continue North 89 Degrees 19' 04" East along said S R 804 right-of-way line, a distance of 292 27 feet, thence North 00 Degrees 03' 13" East a distance of 589 81 feet, thence South 89 Degrees 30' 29" West a distance of 292 95 feet to the aforesaid East line of the E-3

Canal right-of-way, thence South 00 Degrees 04' 25" West along said East line, a distance of 590 78 feet to the Point of Beginning

Estate sought to be condemned: Fee simple absolute for the purpose of construction and maintenance of a water treatment plan and related appurtenances Subject to easements, restrictions, reservations, and rights of way of record Containing 8 45 acres (368 165 square feet) more or less (total), being located on the North side of Boynton Beach Boulevard (SR 804), approximately 38 mile West of Military Trail ", and

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

PARCEL 15

A parcel of land situated in the South-1/2 of Section 23, Township 45 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows

Commencing at the Southeast Southwest corner of the Southeast 1/4 of said Section 23, thence North 00 Degrees 19' 04" West along the West line of said Southeast 1/4 of Section 23 a distance of 70 45 feet to the existing North right-of-way of S R 804 as recorded in Road Plat Book 1, page 184, of the Public Records of said County, thence North 89 Degrees 19' 04" East along said right-of-way line, a distance of 332 27 feet to the point of beginning

From the point of beginning, continue North 89 Degrees 19' 04" East along said S R 804 right-of-way line, a distance of 332 27 feet, thence North 00 Degrees 02' 02" East a distance of 588 70 feet, thence South 89 Degrees 30' 29" West a distance of 332 05 feet, thence South 00 Degrees 03' 13" West a distance of 589 81 feet to the Point of Beginning
Estate sought to be condemned Fee simple absolute for the purpose of construction and maintenance of a water treatment plant and related appurtenances

PARCEL 16

A parcel of land situated in the South 1/2 of Section 23, Township 45 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows

Commencing at the Southwest corner of the Southeast 1/4 of said Section 23, thence North 00 Degrees 19' 04" West along the West line of said Southeast 1/4 of Section 23, a distance of 70 45 feet to the existing North right-of-way line of S R 804, as recorded in Road Plat Book 1, page 184, of the Public Records of said County, thence North 89 Degrees 19' 04" East along said right-of-way line, a distance of 40 00 feet to the East line of an 80 00 foot right-of-way for the E-3 Canal and the Point of Beginning

From the point of beginning, continue North 89 Degrees 19' 04" East along said S R 804 right-of-way line, a distance of 292 27 feet, thence North 00 Degrees 03' 13" East a distance of 589 81 feet, thence South 89 Degrees 30' 29" West a distance of 292 95 feet to the aforesaid East line of the E-3 Canal right-of-way, thence South 00 Degrees 04' 25" West along said East line, a distance of 590 78 feet to the Point of Beginning

Estate sought to be condemned Fee simple absolute for the purpose of construction and maintenance of a water treatment plan and related appurtenances Subject to easements restrictions, reservations, and rights of way of record

Containing 8.45 acres (368,165 square feet) more or less (total), being located on the North side of Boynton Beach Boulevard (SR 804), approximately 3.8 mile West of Military Trail,

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-90-577 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