

RESOLUTION NO R-92- 1565

RESOLUTION AMENDING RESOLUTION NO R-90-582
RESOLUTION APPROVING ZONING PETITION OF RONALD P GODFREY
PETITION NO 89-110

WHEREAS, RONALD P GODFREY petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, sitting as the final zoning authority, on October 5, 1989 and October 26, 1989, respectively for the SPECIAL EXCEPTION TO PERMIT AN AUTO SERVICE STATION (MAJOR REPAIRS), and

WHEREAS, Resolution No R-90-582 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 errors in the legal description, and

WHEREAS, the legal description of Resolution No R-90-582 reads as follows

"the South 200 00 feet of the West 200 00 feet of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 1, Township 45 South, Range 42 East, Less the rights of ways for State Road No 809, (Military Trail) and Hypoluxo Road

As a point of reference start at the South 1/4 corner of said Section 1, and run Northerly along the East line of the Southwest 1/4 of said Section 1, for a distance of 104 05 feet, thence run North 88 Degrees 59' 33" West for a distance of 57 46 feet to the intersection of the West right-of-way line of State Road No 809 (Military Trail) with the North right-of-way line of Hypoluxo Road, said point being also the Southeast corner of the parcel of land herein described, thence run North 88 Degrees 59' 33" West along the North right-of-way line of Hypoluxo Road for a distance of 605 36 feet to the Southwest corner of the parcel herein described, thence turning an angle of 91 Degrees 23' 23" with the previous course measured from East to North and run 1267 72 feet to the Northwest corner of the parcel herein described, thence turning an angle of 89 Degrees 12' 22" with the previous course, measured from South to East and run 613 65 feet to a point in the West right-of-way line of State Road No 809, said point being the Northeast corner of the parcel herein described, thence run Southerly along the West right-of-way line of State Road 809 which is at an angle of 90 Degrees 45' 05" with the previous course, measured from West to South, a distance of 880 09 feet to a point of curvature, to which curve the previous course is tangent, thence run Southerly along the said road right-of-way line which is the arc of a curve concave to the West having a radius of 11,409 19 feet and a central angle of 1 Degree 54' 28" a distance of 379 90 feet to the Point of Beginning," and

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

The South 200 feet of the West 200 feet of the East quarter of the Southwest quarter lying North of Hypoluxo Road being in Section 1, Township 45 South, Range 42 East, of Palm Beach County, Florida

Also described as the South 200 feet of the West 200 feet of the following described property

The northeast quarter of the Southeast quarter of the Southwest quarter and the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 1, Township 45 South, Range 42 East, Less the rights-of-way for State Road No 809, (Military Trail) and Hypoluxo Road, which said lands are more particularly described as follows.

As a point of reference, start at the South 1/4 corner of said Section 1, and run Northerly along the East line of the Southwest 1/4 of said Section 1, for a distance of 104 05 feet, thence run North 88 Degrees 59' 33" West for a distance of 57 46 feet to the intersection of the West right-of-way line of State Road No 809 (Military Trail) with the North right-of-way line of Hypoluxo Road, said point being also the Southeast corner of the parcel of land herein described, thence run North 88 Degrees 59' 33" West along the North right-of-way line of Hypoluxo Road for a distance of 605 36 feet to the Southwest corner of the parcel herein described, thence turning an angle of 91 Degrees 23' 23" with the previous course measured from East to North and run 1267 72 feet to the Northwest corner of the parcel herein described; thence turning an angle of 89 Degrees 12' 22" with the previous course, measured from South to East and run 613 65 feet to a point in the West right-of-way line of State Road No 809, said point being the Northeast corner of the parcel herein described, thence run Southerly along the West right-of-way line of State Road 809 which is at an angle of 90 Degrees 45' 05" with the previous course, measured from West to South, a distance of 880 09 feet to a point of curvature, to which curve the previous course is tangent, thence run Southerly along the said road right-of-way line which is the arc of a curve concave to the West having a radius of 11,409 19 feet and a central angle of 1 Degree 54' 28" a distance of 379 90 feet to the Point of Beginning, containing 0 9103 acres

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-90-582 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

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

[Signature]
COUNTY ATTORNEY

BY

[Signature]
DEPUTY CLERK