

RESOLUTION NO. R-92- 1588

RESOLUTION AMENDING RESOLUTION NO. R-92-354  
RESOLUTION APPROVING ZONING PETITION OF  
HERBERT AND HEINZ KAHLERT, CO-TRUSTEES  
PETITION NO. 91-55

WHEREAS, HERBERT AND HEINZ KAHLERT, CO-TRUSTEES petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, sitting as the final zoning authority, on December 5, 1991 and January 3, 1992, respectively, for the SPECIAL EXCEPTION TO ALLOW A CONVENIENCE STORE WITH GASOLINE STATION (NO REPAIRS) AND ACCESSORY CAR WASH; and

WHEREAS, Resolution No. R-92-354 adopted March 10, 1992, confirming the action of the Board of County Commissioners sitting as the final zoning authority on January 3, 1992, inadvertently contained errors in the legal description; and

WHEREAS, the legal description of Resolution No. R-92-354 reads as follows:

"on a parcel of land lying in Tracts 11 and 12, Block 55, Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Pages 45 through 54, Section 27, Township 43 South, Range 42 East; COMMENCING at the intersection of the North line of said Block 55 with the centerline of Hagen Road (said centerline also being the centerline of the 30.00 foot roadway shown on said Palm Beach Farms Company Plat No. 3); run thence South 89°25'54" West along said North line, a distance of 950.00 feet to the POINT OF BEGINNING; thence South 44°25'54" West (departing from said North line), a distance of 35.36 feet; thence South 00°34'06" East, a distance of 240.00 feet; thence South 89°25'54" West, a distance of 295.00 feet; thence North 00°34'06" West, a distance of 235.00 feet; thence North 89°25'54" East, a distance of 270.00 feet; thence North 00°34'06" West, a distance of 30.00 feet to a point on the said North line of Block 55; thence North 89°25'54" East along said North line, a distance of 50.00 feet to the POINT OF BEGINNING,"; and

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

on a parcel of land lying in Tracts 11 and 12, Block 55, Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Pages 45 through 54, Section ~~27~~ 28, Township ~~43~~ 45 South, Range 42 East; COMMENCING at the intersection of the North line of said Block 55 with the centerline of Hagen Road (said centerline also being the centerline of the 30.00 foot roadway shown on said Palm Beach Farms Company Plat No. 3); run thence South 89°25'54" West along said North line, a distance of 950.00 feet to the POINT OF BEGINNING; thence South 44°25'54" West (departing from said North line), a distance of 35.36 feet; thence South 00°34'06" East, a distance of 240.00 feet; thence South 89°25'54" West, a distance of 295.00 feet; thence North 00°34'06" West, a distance of 235.00 feet; thence North 89°25'54" East, a distance of 270.00 feet; thence North 00°34'06" West, a distance of 30.00 feet to a point on the said North line of Block 55; thence North 89°25'54" East along said North line, a distance of 50.00 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-92-354 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

