

RESOLUTION R-92-1591

RESOLUTION AMENDING RESOLUTION NO. R-90-346
RESOLUTION APPROVING ZONING PETITION OF PETE CARTIER
PETITION NO. 83-69(A)

WHEREAS, PETE CARTIER 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 2, 1989, respectively, for a REZONING FROM THE RH-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (HIGH DENSITY) TO THE CS-SPECIALIZED COMMERCIAL ZONING DISTRICT; and

WHEREAS, Resolution No. R-90-346 adopted February 27, 1990, confirming the action of the Board of County Commissioners sitting as the final zoning authority on October 2, 1989, inadvertently contained an incorrect legal description; and

WHEREAS, the legal description of Resolution No. R-90-346 reads as follows:

"a parcel of land referenced shall be called as Parcel "C", in the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 43 South, Range 42 East, described as follows: From the Southeast corner of the said South 1/2, run North along the East line of said South 1/2 a distance of 103.60 feet to the point of beginning; thence continued along said East line a distance of 71.17 feet to a point; thence run West at an angle of 89 degrees 18' 40", measured from South to West, a distance of 157.00 feet to a point; thence run Northwesterly at an angle of 165 degrees 55' 24", measured from East through North to Northwest, a distance of 115.85 feet to a point; thence run South parallel to the East line of said South 1/2 a distance of 96.60 feet to a point; thence run East parallel to the South line of said South 1/2 a distance of 260.00 feet to the point of beginning; less the East 10.00 feet thereof for road right of way, also less the following described parcel: A parcel of land in the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 25, described as follows: From the Southeast corner of said South 1/2 run thence Northerly along the East line of said South 1/2 a distance of 137.77 feet to the point of beginning; thence run Westerly angling 89 degrees 18' 40" from South to West, a distance of 157.00 feet to a point; thence run Northerly, parallel to the East line of said South 1/2, a distance of 37.00 feet to a point; thence run Easterly, parallel to the above described South line, a distance of 157.00 feet to a point in the East line of said South 1/2; thence run Southerly along said East line a distance of 37.00 feet to the Point of Beginning; AND a parcel of land referenced as Parcel "D", in the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 43 South, Range 42 East, described as follows: The South 103.60 feet of the East 299.07 feet of the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 25, less the East 10.00 feet thereof for road right of way, and also less that portion conveyed to Palm Beach for road right of way in Official Record Book 554, page 308; AND a parcel of land referenced as Parcel "E", in the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 43 South, Range 42 East, described as follows: Beginning at the Southwest corner of the above described said

South 1/2 run East along the South line of said South 1/2 a distance of 47.93 feet to a point; thence run North parallel to the East line of said South 1/2, a distance of 103.60 feet to a point; thence run East parallel to the South line of said South 1/2, a distance of 39.07 feet to a point; thence run North parallel to the East line of said South 1/2, a distance of 96.60 feet to a point; thence run Southeasterly at an angle of 76 degrees 45' 44" measured from South to East, a distance of 115.85 feet to a point; thence run North parallel to the East line of said South 1/2 a distance of 100.00 feet to a point; thence run West at an angle of 89 degrees 18' 40", measured from South to East, a distance of 180.00 feet more or less to a point in the West line of said South 1/2; thence run South along said West line a distance of 274.20 feet more or less to the point of beginning, less that portion conveyed to the Palm Beach County for road right of way in Official Record Book 554, page 300. AND

EXHIBIT A

A parcel in the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 43 South, Range 42 East, described as follows: From the Southeast corner of said South 1/2 run North along East line of South 1/2 a distance of 174.77 feet to point of beginning; thence run West along an angle of 89 Degrees 18' 40" measured from South to West a distance of 157.00 feet to a point, thence run North parallel to the East line of South 1/2 a distance of 100.00 feet to a point; thence run East parallel to above described South line a distance of 157.00 feet to a point in the East line of South 1/2; thence run South along the East line a distance of 100.00 feet to the point of beginning; AND

A parcel in the South 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 25, described as follows: From the Southeast corner of the said South 1/2 run thence Northerly along the East line of said South 1/2 a distance of 137.77 feet to the Point of Beginning; thence run Westerly, angling 89 Degrees 18' 40" from South to West, a distance of 157.00 feet to a point; thence run Northerly, parallel to the East line of said South 1/2, a distance of 37.00 feet to a point; thence run Easterly, parallel to the above described South line, a distance of 157.00 feet to a point in the East line of said South 1/2, thence run Southerly along said East line a distance of 37.00 feet to the Point of Beginning,";

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

A parcel of land which for reference shall be called Parcel "E", in the South half (S 1/2) of the West half (W 1/2) of the West half (W 1/2) of the Northeast quarter (NE 1/4) of the Northeast quarter (NE 1/4) of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of the above described South half (S 1/2) run East along the South line of said South half (S 1/2) a distance of 47.93 feet to a point; thence run North parallel to the East line of said South half (S 1/2) a distance of a distance of 103.60 feet to a point; thence run East parallel to the South line of said South half (S 1/2) a distance of 39.7 feet to a point; thence run North parallel to the East line of said South half (S 1/2) a distance of 96.60 feet to a point; thence run Southeasterly at an angle of 76 degrees 45" 44" measured from South to East, a distance of 115.85 feet to a point; thence run North parallel to the East line of said South half(S 1/2) a distance of 100.00 feet to a point; thence run West at an angle of 89 degrees 18" 40" measured from South to East, a distance of 180 feet more or less to a point in the West line of said South half (S 1/2);

thence run South along said West line a distance of 274.2 feet more or less to the Point of Beginning, less that portion conveyed to the County of Palm Beach for road right-of-way in Official Record Book 554, Page 309, Public Records of Palm Beach County, Florida.

AND

A parcel of land in the South half of the West half of the West half of the Northeast quarter of the Northeast quarter, Section 25, Township 43 South, Range 42 East, being more particularly described as follows:

From the Southeast corner of the above described South half run North along East line of South half, a distance of 174.77 feet to Point of Beginning; thence run West along an angle of 89 degrees 18" 40" measured from South to West a distance of 157 feet to a point, thence run North parallel to the East line of South half a distance of 100 feet to a point; thence run East parallel to above described South line a distance of 157.00 feet to a point in the East line of South half; thence run South along the East line a distance of 100.00 feet to the Point of Beginning. Less that portion conveyed to Palm Beach County for road right-of-way in Deed Book 1064, Page 603, Public Records of Palm Beach County, Florida.

A parcel of land in the South half of the West half of the West half of the Northeast quarter of the Northeast quarter of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

From the Southeast corner of the above described South half run thence Northerly along the East line of said South half a distance of 137.77 feet to the Point of Beginning; thence run Westerly, angling 89 degrees 18' 40" from South to West, a distance of 157 feet to a point; thence run Northerly, parallel to the East line of said South half, a distance of 37 feet to a point; thence run Easterly, parallel to the above described South line, a distance of 157 feet to a point in the East line of said South half; thence run Southerly along said East line a distance of 37 feet to the Point of Beginning. Less that portion conveyed to Palm Beach County for road right-of-way in Deed Book 1064, Page 603, Public Records of Palm Beach County, Florida.

A parcel of land which for reference shall be called Parcel "C", in the South half (S 1/2) of the West Half (W 1/2) of the West Half (W 1/2) of the Northeast quarter (NE 1/4) of the Northeast quarter (NE 1/4) of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

From the Southeast corner of the above described South half (S 1/2), run North along the East line of said South half (S 1/2) a distance of 103.60 feet to the Point of Beginning; thence continue along said East line a distance of 71.17 feet to a point; thence run West at an angle of 89 degrees 18' 40" measured from South to West, a distance of 157.00 feet to a point; thence run Northwesterly at an angle of 165 degrees 55' 24" measured from East through North to Northwest, a distance of 115.85 feet to a point; thence run South parallel to the East line of said South half (S 1/2) a distance of 96.60 feet to a point; thence run East parallel to the South line of said South half (S 1/2) a distance of 260.00 feet to the Point of Beginning; less the East 10 feet thereof for road right-of-way, also less the following described parcel:

A parcel of land in the South half (S 1/2) of the West half (W 1/2) of the West half (W 1/2) of the Northeast quarter (NE 1/4) of Section 25, Township 43 South, Range 42 East, Palm Beach County Florida, more particularly described as follows: From the Southeast corner of the above described South half (S 1/2) run thence Northerly along the East line of said South half, a distance of 137.77 feet to the Point of Beginning; thence run Westerly angling 89 degrees 18' 40" from South to

West, a distance of 157 feet to a point; thence run Northerly parallel to the East line of said South half (S 1/2), a distance of 37 feet to a point; thence run Easterly, parallel to the above described South line, a distance of 157 feet to a point in the East line of said South half (S 1/2); thence Run Southerly along said East line a distance of 37 feet to the Point of Beginning.

AND

A parcel of land which for reference shall be called Parcel "D", in the South half (S 1/2) of the West half (W 1/2) of the West half (W 1/2) of the Northeast quarter (NE 1/4) of the Northeast quarter (NE 1/4) of Section 25, Township 43 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

The South 103.60 feet of the East 299.07 feet of the South half (S 1/2) of the West half (W 1/2) of the West half (W 1/2) of the Northeast quarter (NE 1/4) of the Northeast quarter (NE 1/4) of Section 25, Township 43 South, Range 42 East, in the County of Palm Beach, State of Florida, less the East 10 feet thereof for road right-of-way in Official Record Book 554, Page 308, Public Records of Palm Beach County, Florida.

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-90-346 is hereby amended.

The foregoing resolution was offered by Commissioner Elmquist, who moved its adoption. The motion was seconded by Commissioner Marcus, 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: *Richard Alter*
COUNTY ATTORNEY

BY: *Linda C. Hickman*
DEPUTY CLERK

