

RESOLUTION NO. R-93-231

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING A 100.00 FOOT PUBLIC DRAINAGE EASEMENT WITHIN SECTION 12, TOWNSHIP 47 SOUTH, RANGE 41 EAST AS RECORDED IN OFFICIAL RECORD BOOK 6704, PAGES 83 THROUGH 88 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Section 336.09, Florida Statutes, and Ordinance No. 86-18 known as the Palm Beach Right of Way Abandonment and Plat Vacation Ordinance, and upon the petition of Boca Greens, Inc., called a public hearing to be held in the County Commissioners Chambers, at the Governmental Office Complex, West Palm Beach, Florida, on February 16, 1993, to consider and determine whether or not Palm Beach County would vacate, abandon, discontinue and close, renounce and disclaim any right or interest of the County in the hereinafter described public drainage easement; and

WHEREAS, in accordance with Ordinance No. 86-18 notice of the holding of such meeting was duly published in the Palm Beach Post January 31, 1993; and

WHEREAS, this Board did hold said hearing as advertised and determined that such action will not materially interfere with the County road drainage system since a permanent surface water management system is currently under construction within the westerly phase of Boca Greens, P.U.D., and said water management system has been designed and approved to accommodate Cain Boulevard drainage.

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 following described drainage easement is hereby vacated and closed as public drainage easement and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to the following described 100.00 foot drainage easement contained in Exhibit "A" attached hereto and made a part hereof.

Boca Greens

3. Notice of the adoption of this resolution shall be published once in the Palm Beach Post within thirty (30) days of the date of adoption of this resolution in accordance with Section 336.10, Florida Statutes, and Ordinance No. 86-18.

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

MARY McCARTY	AYE
KEN FOSTER	AYE
BURT AARONSON	AYE
MAUDE FORD LEE	AYE
KAREN T. MARCUS	ABSENT
WARREN H. NEWELL	AYE
CAROL A. ROBERTS	ABSENT

The Chairman thereupon declared the Resolution duly passed and adopted this 16th day of February, 1993.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: Mark R. Plott  
County Attorney

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, Clerk

BY: Mary Lou Berger  
Deputy Clerk

## LEGAL DESCRIPTION

A 100.00 FOOT STRIP OF LAND LYING WITHIN SECTION 12, TOWNSHIP 47 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF THAT EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 6704, PAGE 1383 THROUGH 88, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST (N.W.) CORNER OF SAID SECTION 12; THENCE NORTH  $89^{\circ} 45' 04''$  EAST, ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 12, A DISTANCE OF 1907.78 FEET; THENCE SOUTH  $00' 14' 56''$  EAST, A DISTANCE OF 1940.77 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE SOUTH  $10' 00' 15''$  WEST, A DISTANCE OF 482.25 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2490.00 FEET AND A CENTRAL ANGLE OF  $19' 41' 21''$ , A DISTANCE OF 855.67 FEET TO A POINT LYING ON A NON-TANGENT LINE; (THE LAST TWO (2) DESCRIBED COURSES LYING 50.00 FEET WEST OF AND PARALLEL TO THE WESTERLY LINE OF CAIN BOULEVARD, AN 80.00 FOOT ROAD RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORD BOOK 6370 AT PAGES 1418 THROUGH 1434 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA); THENCE SOUTH  $28' 15' 49''$  WEST, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 225.50 FEET TO A POINT TO BE KNOWN HEREINAFTER AS REFERENCE POINT "A"; THENCE SOUTH  $24' 20' 52''$  WEST, A DISTANCE OF 262.04 FEET; THENCE SOUTH  $12' 41' 44''$  EAST, A DISTANCE OF 26.14 FEET TO THE POINT OF TERMINATION, SAID POINT ALSO LYING ON THE NORTHERLY LINE OF KIMBERLY BOULEVARD, AN 80.00 FOOT ROAD RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORD BOOK 3159 AT PAGES 816 THROUGH 820 OF SAID PUBLIC RECORDS.

TOGETHER WITH THE FOLLOWING 100.00 FOOT DRAINAGE EASEMENT, THE CENTERLINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE AFOREMENTIONED REFERENCE POINT "A"; THENCE SOUTH  $57' 27' 23''$  EAST, A DISTANCE OF 198.99 FEET; THENCE SOUTH  $69' 04' 35''$  EAST, A DISTANCE OF 77.51 FEET TO THE POINT OF TERMINATION, SAID POINT ALSO LYING ON THE WESTERLY LINE OF SAID "CAIN BOULEVARD".

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA. SIDE LINES OF SAID EASEMENT TO BE PROLONGED OR SHORTENED TO INTERSECT WITH THE WESTERLY LINE OF "CAIN BOULEVARD" AND THE NORTHERLY LINE OF "KIMBERLY BOULEVARD".

EXHIBIT 'A'

# THE PALM BEACH POST

Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

## PROOF OF PUBLICATION

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Chris Bull who on oath says that she/he is Class. Sales Mgr. of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a \_\_\_\_\_

### Notice

in the matter of Boca Greens drainage easement

in the \_\_\_\_\_ Court, was published in said newspaper in the issues of January 31, 1993

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Chris Bull*

Sworn to and subscribed before me this 1 day of February A.D. 19 93

*Karen M. McClinton*

Sworn to and subscribed before me this 1 day of February A.D. 19 93  
KAREN M. MCCLINTON  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC230480  
MY COMMISSION EXP. NOV. 15, 1996

NO. 802104  
NOTICE OF INTENTION  
TO ABANDON/VACATE  
PUBLIC Notice is hereby given  
in compliance with Chapter  
177.101 and 336.09, Florida  
Statutes, that the Board of  
County Commissioners of  
Palm Beach County, Florida,  
at its regular meeting in the  
Jane Thompson Memorial  
Chambers, Governmental Of-  
fice Complex, Sixth Floor,  
West Palm Beach, Florida on  
February 18, 1993, will hold a  
Public Hearing on the aban-  
donment/vacation of the fol-  
lowing described right of  
way:  
LEGAL DESCRIPTION:  
A 100.00 FOOT STRIP OF  
LAND LYING WITHIN SECTION  
12, TOWNSHIP 47 SOUTH,  
RANGE 41 EAST, PALM  
BEACH COUNTY, FLORIDA,  
BEING A PORTION OF THAT  
EASEMENT AS RECORDED IN  
OFFICIAL RECORD BOOK  
8704, PAGES 83 THROUGH  
88, OF THE PUBLIC RECORDS  
OF PALM BEACH COUNTY,  
FLORIDA, THE CENTERLINE  
OF SAID STRIP OF LAND BE-  
ING MORE PARTICULARLY DE-  
SCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTH-  
WEST (N.W.) CORNER OF SAID  
SECTION 12; THENCE NORTH  
89°45'04" EAST, ALONG THE  
NORTHERLY BOUNDARY OF  
SAID SECTION 12, A DIST-  
ANCE OF 1907.78 FEET;  
THENCE SOUTH 00°14'58"  
EAST, A DISTANCE OF  
1940.77 FEET TO THE POINT  
OF BEGINNING OF SAID CER-  
TERLINE; THENCE SOUTH  
10°00'15" WEST, A DISTANCE  
OF 482.25 FEET TO THE  
POINT OF CURVATURE OF A  
CIRCULAR DRIVE TO THE  
LEFT; THENCE SOUTHERLY  
ALONG THE ARC OF SAID  
CURVE, HAVING A RADIUS OF  
2490.00 FEET AND A CEN-  
TRAL ANGLE OF 19°41'21";  
A DISTANCE OF 856.87 FEET  
TO A POINT LYING ON A NON-  
TANGENT LINE; (THE LAST  
TWO (2) DESCRIBED  
COURSES LYING 50.00 FEET  
WEST OF AND PARALLEL TO  
THE WESTERLY LINE OF CAIN  
BOULEVARD, AN 80.00 FOOT  
ROAD RIGHT-OF-WAY AS RE-  
CORDED IN OFFICIAL RECORD  
BOOK 8370 AT PAGES 1410  
THROUGH 1434 OF THE PUB-  
LIC RECORDS OF PALM  
BEACH COUNTY, FLORIDA);  
THENCE SOUTH 2°15'49"  
WEST, ALONG SAID NON-TAN-  
GENT LINE, A DISTANCE OF  
226.80 FEET TO A POINT TO  
BE KNOWN HEREINAFTER AS  
REFERENCE POINT "A";  
THENCE SWTH 21°20'52"  
WEST, A DISTANCE OF  
282.04 FEET; THENCE SOUTH  
12°41'44" EAST, A DISTANCE  
OF 26.14 FEET TO THE POINT  
OF TERMINATION, SAID POINT  
ALSO LYING ON THE NORTH-  
ERLY LINE OF KIMBERLY BOU-  
LEVARD, AN 80.00 FOOT  
ROAD RIGHT-OF-WAY, AS RE-  
CORDED IN OFFICIAL RECORD  
BOOK 3159 AT PAGES 816,  
THROUGH 820 OF SAID PUB-  
LIC RECORDS;  
TOGETHER WITH THE FOL-  
LOWING 100.00 FOOT DRAIN-  
AGE EASEMENT, THE CEN-  
TERLINE OF SAID EASEMENT  
BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:  
BEGINNING AT THE AFORE-  
MENTIONED REFERENCE  
POINT "A"; THENCE SOUTH  
87°27'23" EAST, A DISTANCE  
OF 198.99 FEET; THENCE  
SOUTH 89°04'35" EAST, A  
DISTANCE OF 77.51 FEET TO  
THE POINT OF TERMINATION,  
SAID POINT ALSO LYING ON  
THE WESTERLY LINE OF SAID  
"CAIN BOULEVARD";  
SAID LANDS SITUATE IN PALM  
BEACH COUNTY, FLORIDA,  
SIDE LINES OF SAID EASE-  
MENT TO BE PRODUCED OR  
SHORTENED TO INTERSECT  
WITH THE WESTERLY LINE OF  
"CAIN BOULEVARD" AND THE  
NORTHERLY LINE OF "KIM-  
BERLY BOULEVARD";  
DATED the 28th day of Janu-  
ary, 1993  
BOARD OF  
COUNTY COMMISSIONERS  
OF PALM BEACH COUNTY, FL  
Mary McCarty  
Chair  
George T. Webb, F.E.  
County Engineer  
PUB: The Palm Beach Post  
January 31, 1993

# THE PALM BEACH POST

Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

## PROOF OF PUBLICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before the undersigned authorily personally appeared Chris Bull  
who on oath says that she/he is Class. Sales Mgr. of The Palm Beach Post,  
a daily and Sunday newspaper published at West Palm Beach in Palm Beach County,  
Florida; that the attached copy of advertising, being a Notice  
in the matter of Boca Greens  
in the --- Court, was published in saki newspaper in  
the issues of February 21, 1993

Affiant further says that the said The Post is a newspaper published at West Palm Beach,  
In said Palm Beach County, Florida, and that the said newspaper has heretofore been  
continuously published in said Palm Beach County, Florida, daily and Sunday and has been  
entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach  
County, Florida, for a period of one year next preceding the first publication of the attached  
copy of advertisement; and affiant further says that she/he has neither paid nor promised  
any person, firm or corporation any discount, rebate, commission or refund for the purpose  
of securing this advertisement for publication in the said newspaper.

NO. 8010-2  
Resolution R-93-231  
Whereas the Board of County  
Commissioners pursuant to  
the authority provided in  
Chapter 338.09, Florida Stat-  
utes and pursuant to Ord-  
inance 86-18, did hold a Public  
Hearing on February 18, 1993,  
Resolution R-93-231 pertain-  
ing to the abandonment/vaca-  
tion of portion of a 100 foot  
wide Drainage Easement as  
recorded in ORB 8:04, pages  
83-88, Palm Beach County,  
Florida was duly passed and  
recorded in the Minutes of the  
Board of County Commission-  
ers.  
Board of  
County Commission ers  
Palm Beach County, FL  
PUB: The Palm Beach Post  
February 21, 1993

Chris Bull

Sworn to and subscribed before me this 22 day of February, A.D. 19 93

OFFICIAL NOTARY SEAL  
KAREN M. MCLINTON  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. 0021080  
MY COMMISSION EXP. NOV. 15, 1996

Karen M. McLinton  
Karen M. McLinton, Notary Public

Personally known XX or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_