

RESOLUTION NO. R-2005-1620

RESOLUTION CORRECTING RESOLUTION NOS.
R-2005-0390 and R-2005-0391
(CONTROL NO. 2004-369)
RESOLUTION APPROVING ZONING APPLICATION OF
ASCOT DEVELOPMENT
APPLICATION NO. PDD/W-2004-504

WHEREAS, Ascot Development petitioned the Palm Beach County Board of County Commissioners on February 24, 2005 for an Official Zoning Map Amendment to a Planned Development District rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) District and a Waiver of Objectives and Standards (Performance Standards) to allow deviation from cul-de-sac restrictions in the Agricultural Reserve Planned Unit Development Zoning District; and

WHEREAS, Resolution Nos. R-2005-0390 and R-2005-0391 adopted February 24, 2005 confirming the action of the Board of County Commissioners, inadvertently contained an incorrect legal description; and

WHEREAS, the legal description of Resolutions No. R-2005-0390 and R-2005-0391 should have read as shown on Exhibit A.

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 Nos. R-2005-0390 and R-2005-0391 are hereby corrected.

Commissioner Koons moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson, and upon being put to a vote, the vote was as follows:

Tony Masilotti, Chair	- Aye
Addie L. Greene, Vice Chairperson	- Aye
Karen T. Marcus	- Aye
Jeff Koons	- Aye
Warren H. Newell	- Aye
Mary McCarty	- Absent
Burt Aaronson	- Aye

The Chairman thereupon declared the resolution was duly passed and adopted on August 25, 2005.

Filed with the Clerk of the Board of County Commissioners on 25th day of August, 2005.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

DEVELOPMENT SITE

A CERTAIN PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL ALSO LYING IN BLOCK 17, PALM BEACH FARMS COMPANY PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED WEST ONE-QUARTER (1/4) CORNER OF AFORESAID SECTION 17 AS PER THE PALM BEACH COUNTY SURVEY DEPARTMENT SECTIONAL BREAKDOWN OF SAID SECTION 17; THENCE NORTH 89°27'41" EAST ALONG THE EAST-WEST ONE-QUARTER (1/4) SECTION LINE OF SECTION 17, A DISTANCE OF 166.54 FEET TO A POINT ON THE WEST LINE OF BLOCK 17; THENCE NORTH 01°03'00" WEST, A DISTANCE OF 7.91 FEET TO THE POINT OF BEGINNING ON THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT (L.W.D.D.) L-33 CANAL AS PER CHANCERY CASE 407 (O.R.B. 6495, PG. 761), THE NORTH 35.64 FEET OF TRACTS 73 THROUGH 80, BLOCK 17; THENCE SOUTH 89°01'50" WEST ALONG THE SOUTH LINE OF SAID NORTH 35.64 FEET OF TRACTS 73 THROUGH 80, A DISTANCE OF 2605.94 FEET TO A POINT ON THE WEST LINE OF THE EAST 40.00 FEET OF TRACTS 73, 88, 105 AND 120, SAID LINE ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF STARKEY ROAD PER D.B. 716, PG. 592, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°07'06" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 2748.60 FEET TO A POINT ON A LINE WHICH LIES 40.00 FEET NORTH OF, AND PARALLEL TO, THE SOUTH LINE OF THE SOUTHEAST (S.E.) ONE QUARTER (1/4) OF SECTION 17; THENCE SOUTH 89°18'02" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 223.69 FEET TO A POINT WHICH LIES 40.00 FEET NORTH OF, AND PARALLEL TO, THE SOUTHWEST (S.W.) ONE-QUARTER (1/4) OF SECTION 17; THENCE NORTH 89°58'59" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 2043.89 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF TRACT 114, BLOCK 17, AFORESAID PALM BEACH FARMS COMPANY PLAT NO. 1; THENCE NORTH 01°01'05" WEST ALONG SAID WEST TRACT LINE, A DISTANCE OF 514.37 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTH 240.00 FEET OF TRACT 113, BLOCK 17, PALM BEACH FARMS COMPANY PLAT NO. 1; THENCE SOUTH 89°09'51" WEST ALONG SAID SOUTH LINE OF THE NORTH 240.00 FEET OF SAID TRACT 113, A DISTANCE OF 342.29 FEET, MORE OR LESS, TO A POINT ON THE CENTERLINE OF THE 30 FOOT PALM BEACH FARMS COMPANY PLATTED ROAD EASEMENT, SAID POINT ALSO BEING ON THE WEST LINE OF BLOCK 17 OF SAID PALM BEACH FARMS COMPANY PLAT NO. 1; THENCE NORTH 01°03'00" WEST ALONG SAID BLOCK LINE, A DISTANCE OF 2197.18 FEET TO THE POINT OF BEGINNING.

CONTAINS 159.33 ACRES, MORE OR LESS.

FUTURE WEST ATLANTIC AVENUE RIGHT-OF-WAY AREA EQUALS 5.41 ACRES, MORE OR LESS.

FUTURE LYONS ROAD RIGHT-OF-WAY AREA EQUALS 0.757 ACRES, MORE OR LESS.

PRESERVE AREA 1

TRACT 4, LESS THE NORTH 26 FEET, BLOCK 18, OF PALM BEACH FARMS COMPANY, PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

FURTHER LESS AND EXCEPT:

THE NORTH 12.28 FEET TOTALING THE NORTH 38.28 FEET OF TRACT 4, BLOCK 18, PER CHANCERY CASE NO. 407, RECORDED IN OFFICIAL RECORDS BOOK 6495, PAGE 761, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 26, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGES 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 27, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 28, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 29, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

TRACT 30, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAINING 1,293,077 SQUARE FEET (29.685 ACRES), MORE OR LESS.

PRESERVE AREA 2

PARCEL 1:

TRACT 41, LESS THE EAST 370 FEET AND THE SOUTH 70 FEET THEREOF AND THE EAST 80 FEET OF TRACT 42, LESS THE SOUTH 70 FEET THEREOF, BLOCK 52, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE MAP OR

PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

THE SOUTH 70 FEET OF THE EAST 80 FEET OF TRACT 42, THE SOUTH 70 FEET OF THE WEST 290 FEET OF TRACT 41; THE EAST 80 FEET OF TRACT 43, LESS THE SOUTH 30.36 FEET THEREOF, AND THE WEST 290 FEET OF TRACT 44, LESS THE SOUTH 30.36 FEET THEREOF, ALL OF WHICH BEING ALSO KNOWN AS LOT 10, LESS THE SOUTH 30.36 FEET THEREOF OF EATMON'S UNRECORDED SUBDIVISION, ALL IN BLOCK 52, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOTAL AREA OF PRESERVE NO. 2 EQUALS 9.76 ACRES MORE OR LESS

PRESERVE AREA 3

TRACT 22 LESS THE EAST 9.36 FEET THEREOF, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THE SOUTH 15 FEET FOR ROAD RIGHT-OF-WAY

NOT INCLUDED PARCEL

TRACT 23 AND THE EAST 9.36 FEET OF TRACT ~~23~~ 22, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 26 THROUGH 28, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TRACTS 9, 10 AND 11 LESS THE NORTH 33.18 FEET THEREOF, PALM BEACH FARMS CO. PLAT NO. 1, OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THE EAST 15.00 FEET FOR ROAD RIGHT-OF-WAY

NOT INCLUDED PARCEL:

TRACT 9 AND THE EAST 13.23 FEET OF TRACT 10 LESS THE NORTH 33.18 FEET, PALM BEACH FARMS CO. PLAT NO. 1 OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THE EAST 15.00 FEET FOR ROAD RIGHT-OF-WAY

TOTAL AREA OF PRESERVE NO. 3 EQUALS 14.16 ACRES MORE OR LESS

PRESERVE AREA 4

THAT PORTION OF THE SOUTH 660 FEET OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 41 EAST, LYING EAST OF THE NORTHERLY PROJECTION OF THE WEST LINE OF TRACT 3, BLOCK 68, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF THE EAST 660 FEET OF THE SOUTH THREE QUARTERS OF SAID SECTION 23, LESS THE SOUTH 660 FEET AND LESS THOSE PARCELS CONVEYED TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT IN OFFICIAL RECORD BOOK 11434, PAGE 455 AND

OFFICIAL RECORD BOOK 3903, PAGE 377, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

TRACT 1, THE NORTH 65.00 FEET OF TRACT 2, TRACT 3, THE SOUTH 45 FEET OF TRACT 5, TRACTS 6, 7 AND 8, THE NORTH 125 FEET OF TRACTS 9, 10, 11, 12, THAT PORTION OF THE 34 FOOT ROAD RIGHT OF WAY LYING NORTH OF AND ADJACENT TO TRACTS 1 AND 2, THAT PORTION OF THE 25 FOOT ROAD RIGHT OF WAY LYING EAST OF AND ADJACENT TO TRACTS 1 AND 8, AND THE NORTH 125 FEET OF TRACT 9, THAT PORTION OF THE 25 FOOT ROAD RIGHT OF WAY LYING WEST OF AND ADJACENT TO THE SOUTH 45 FEET OF TRACT 5 AND THE NORTH 125 FEET OF TRACT 12 AND THAT PORTION OF THE 30 FOOT ROAD RIGHT OF WAY LYING NORTH OF AND ADJACENT TO TRACTS 9, 10, 11 AND 12 EXTENDING FROM THE EAST LINE OF BLOCK 68 TO THE WEST LINE OF BLOCK 68, ALL LYING IN BLOCK 68, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

TRACT 2, BLOCK 68, LESS THE NORTH 65.00 FEET THEREOF, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOTAL AREA OF PRESERVE NO. 4 EQUALS 109.9624 ACRES MORE OR LESS

PRESERVE AREA 5

ALL THAT PORTION OF THE FOLLOWING DESCRIBED LAND LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-2-WEST, AS SHOWN ON SUNSHINE STATE PARKWAY RIGHT-OF-WAY MAPS (SHEET 3 OF 13): TRACTS 25, 26, 27 AND 28, SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE WEST 15 FEET FOR STARKEY ROAD AND LESS THAT PORTION CONVEYED TO PALM BEACH COUNTY, FLORIDA, BY RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORD BOOK 4325, PAGE 1677 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 15 FEET OF THE WEST 30 FEET OF TRACT 25, SECTION 17, OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS THE SOUTHERLY 15 FEET THEREOF.

TOGETHER WITH:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED LAND LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-2-WEST, AS SHOWN ON SUNSHINE STATE PARKWAY RIGHT-OF-WAY MAPS (SHEET 3 OF 13): TRACTS 37, 38, 39 AND 40, SECTION 17, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, RECORDED IN PLAT

BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE WEST 15 FEET FOR STARKEY ROAD AND LESS THAT PORTION CONVEYED TO PALM BEACH COUNTY, FLORIDA, BY RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORD BOOK 4325, PAGE 1675 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 15 FEET OF THE WEST 30 FEET OF TRACT 25, SECTION 17, OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS THE NORTHERLY 15 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF TRACTS 25 AND 26, SECTION 17, PLAT OF THE PALM BEACH FARMS COMPANY PLAT NO. 1, RECORDED IN PLAT BOOK 2, PAGES 26 THROUGH 28 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF STARKEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 4225, PAGE 1677 OF SAID PUBLIC RECORDS, AND THE NORTH LINE OF SAID TRACT 25, SAID POINT BEING THE SOUTHWEST CORNER OF TRACT "B", CANYON LAKES PRESERVE AREA NO. 2, AS RECORDED IN PLAT BOOK 101, PAGES 164 AND 165 OF SAID PUBLIC RECORDS; THENCE NORTH 89°02'45" EAST ALONG THE NORTH LINE OF SAID TRACTS 25 AND 26 AND THE SOUTH LINE OF SAID TRACT "B", CANYON LAKES PRESERVE AREA NO. 2, A DISTANCE OF 554.50 FEET; THENCE SOUTH 01°07'07" EAST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 89°02'45" WEST, A DISTANCE OF 554.50 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF STARKEY ROAD; THENCE NORTH 01°07'07" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 400.00 FEET TO THE AFORE MENTIONED POINT OF BEGINNING.

CONTAINING 33.14 ACRES, MORE OR LESS.

PRESERVE AREA 6

TRACTS 15 AND 16, LESS THE NORTH 30.36 FEET THEREOF, TRACTS 17 AND 18, ALL BEING IN BLOCK 17, PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26, 27 AND 28, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WEST 15.0 FEET OF TRACTS 16 AND 17, THEREOF.

TOGETHER WITH

TRACTS 17 AND 18, BLOCK 17, PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26, 27 AND 28, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WEST 15.0 FEET OF SAID TRACT 17.

TOTAL AREA OF PRESERVE NO. 6 EQUALS 19.7282 ACRES MORE OR LESS

PRESERVE AREA 7

THE WEST 1/2 OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA TOGETHER WITH AN EASEMENT FOR INGRESS AND

EGRESS OVER THE SOUTH 1/2 OF THE NORTH 1/2 OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA AND SUBJECT TO AN EASEMENT OVER THE NORTH 30 FEET FOR INGRESS AND EGRESS TO THE WEST 1/2 OF THE

SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND CONTAINING 218,989 SQUARE FEET (5.027 ACRES), MORE OR LESS.