

RESOLUTION NO. R-2002-0298

RESOLUTION CORRECTING RESOLUTION NO. R-2001-0612
RESOLUTION APPROVING ZONING PETITION OF
FRANK RAINER, ANN THROGMORTON
ST. HERMANS ORTHODOX CHURCH
PETITION NO. PDD2000-091
(HYPOLUXO SQUARE)

WHEREAS, Frank Rainer, Ann Throgmorton, and St. Hermans Orthodox Church petitioned the Palm Beach County Board of County Commissioners on April 26, 2001 for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) and Community Commercial (CC) to Multiple Use Planned Development (MUPD) with a fast food restaurant; and

WHEREAS, Resolution No. R-2001-0612 adopted April 26, 2001 confirming the action of the Board of County Commissioners, inadvertently contained an incorrect legal description; and

WHEREAS, the legal description of Resolution No. R-2001-0612 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 No. R-2001-0612 is hereby corrected.

Commissioner Marcus 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:

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Absent
Karen T. Marcus	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti	-	Absent
Addie L. Greene	-	Aye

The Chair thereupon declared the resolution was duly passed and adopted on February 28, 2002.

Filed with the Clerk of the Board of County Commissioners on 12 day of March, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: [Signature]
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: [Signature]
DEPUTY CLERK

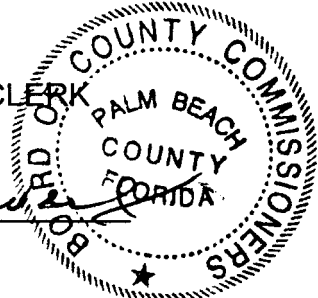


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION: NEW ALBERTSONS

A PORTION OF TRACT 1 AND 2 IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, OF THE "AMENDED PLAT OF SEC. 12 TWP. 45 S. R. 42 E." ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9 AT PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE RUN NORTH 88 DEGREES 50 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID SECTION 12 FOR A DISTANCE OF 778.71 FEET TO A POINT; THENCE RUN SOUTH 03 DEGREES 28 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 53.04 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 88 DEGREES 50 MINUTES 22 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF L.W.D.D. L-18 CANAL FOR A DISTANCE OF 462.11 FEET TO A POINT; THENCE RUN SOUTH 03 DEGREES 11 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 288.68 FEET TO A POINT; THENCE RUN SOUTH 89 DEGREES 10 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 240.27 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST, THE CENTER OF WHICH BEARS NORTH 86 DEGREES 03 MINUTES 07 SECONDS WEST FROM SAID POINT; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE (ALSO BEING THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL), HAVING A RADIUS OF 11,392.16 FEET, THRU A CENTRAL ANGLE OF 00 DEGREES 18 MINUTES 47 SECONDS FOR AN ARC DISTANCE OF 62.24 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 12 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 190.69 FEET TO A POINT; THENCE RUN SOUTH 04 DEGREES 39 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 209.84 FEET TO A POINT; THENCE RUN SOUTH 89 DEGREES 12 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 160.88 FEET TO A POINT; THENCE RUN NORTH 86 DEGREES 59 MINUTES 19 SECONDS EAST FOR A DISTANCE OF 30.28 FEET TO A POINT; THENCE RUN SOUTH 04 DEGREES 39 MINUTES 09 SECONDS WEST ALONG THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL FOR A DISTANCE OF 61.15 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 12 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 1080.07 FEET TO A POINT; THENCE RUN NORTH 02 DEGREES 52 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 624.88 FEET TO A POINT; THENCE RUN SOUTH 88 DEGREES 50 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 388.61 FEET TO THE POINT OF BEGINNING.

(CONTAINING: 566,276 SQUARE FEET) (13.00± acres)