

RESOLUTION NO. R-2007-1235

RESOLUTION CORRECTING RESOLUTIONS
R-2005-1620, R-2005-390 and R-2005-391
CORRECTING LEGAL DESCRIPTION FOR PRESERVE AREA 5
(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-2005-1620, R-2005-390 and R-2005-391 adopted August 25, 2005 and February 24, 2005 confirming the action of the Board of County Commissioners, inadvertently contained an incorrect legal description for Preserve Area 5; and

WHEREAS, the legal description for Preserve Area 5 of Resolution Nos. R-2005-1620, R-2005-390 and R-2005-391 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 for Preserve Area 5 of Resolution Nos. R-2005-1620, R-2005-390 and R-2005-391 are hereby corrected.

Commissioner Koons moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	- Aye
Jeff Koons, Vice Chair	- Aye
Karen T. Marcus	- Aye
District 3	-
Mary McCarty	- Aye
Burt Aaronson	- Aye
Jess R. Santamaria	- Aye

The Chairperson thereupon declared the resolution was duly passed and adopted on July 26, 2007.

Filed with the Clerk of the Board of County Commissioners on July 26th, 2007

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

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 40, 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 4325, 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 33.15 ACRES, MORE OR LESS.