

RESOLUTION R-2009- 0367

RESOLUTION CORRECTING RESOLUTION R-2008-1705
(CONTROL NO. 1998-00023)
RESOLUTION APPROVING ZONING APPLICATION OF
PUBLIX SUPER MARKETS INC
PRATT AND ORANGE MUPD
APPLICATION ZV/DOA/R-2007-01597

WHEREAS, Publix Super Markets Inc, petitioned the Palm Beach County Board of County Commissioners on September 29, 2008 for a Development Order Amendment To reconfigure the site plan and modify conditions of approval (Building and Site Design, Planning, Use Limitation); and

WHEREAS, Resolution R-2008-1705, adopted on September 29, 2008 confirming the action of the Board of County Commissioners inadvertently omitted CIVIC SITE DEDICATION 4 from Exhibit C; and

WHEREAS, PREM Condition CIVIC SITE DEDICATION 4 of Exhibit C of Resolution R-2008-1705 should have read as shown as follows:

- 4. Palm Beach County shall convey the 7 acre civic site to the Indian Trail Improvement District upon satisfaction of the following preconditions:
 - a. A covenant restricting the site to governmental and/or civic uses only shall be recorded in the public record. (COMPLETE)
 - b. Covenant shall include provisions that any uses for the site must first be approved by the Board of County Commissioners at a public hearing. (COMPLETE)
 - c. Preservation area shall be approved at or prior to DRC. (COMPLETE)
 - d. Palm Beach County and Indian Trails Water Control District shall have entered into a lease for the 2.27 acre parcel of property which is the subject of Petition ZCOZ 98-41.
 - e. Petition ZCOZ 98-41 shall have been approved to rezone and site plan the property for development of a fire station or use approved by Board of County Commissioners. (COMPLETE)
 - f. Indian Trail Improvement District will have caused, or shall have entered into an agreement to cause, water and sewer service lines to be stubbed out at the boundaries of the fire rescue site without charge to Palm Beach County. (COMPLETE)
 - g. Palm Beach County shall have the right to connect to water and sewer service upon payment of normal, customary and reasonable connection charges and without payment of any capital charges for construction/installation of water and sewer improvements. (ONGOING: MONITORING - PREM) (Previous Condition T.4 of Resolution R-1998-1810, Control 1989-023)

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. PREM Condition CIVIC SITE DEDICATION 4 of Exhibit C of Resolution R-2008-1705 is hereby added.

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:

| | | |
|---|---|-----|
| Commissioner John F. Koons, Chairman | - | Aye |
| Commissioner Burt Aaronson, Vice Chairman | - | Aye |
| Commissioner Karen T. Marcus | - | Aye |
| Commissioner Shelley Vana | - | Aye |
| District 4 | - | |
| Commissioner Jess R. Santamaria | - | Aye |
| Commissioner Addie L. Greene | - | Aye |

The Chairperson thereupon declared the resolution was duly passed and adopted on February 25, 2009.

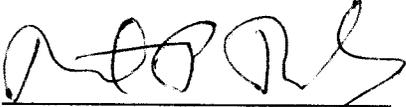
Filed with the Clerk of the Board of County Commissioners on March 3rd, 2009.

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

