Board of County Commissioners
Norman Gregory, Chairman
Peggy B. Evatt, Vice - Chairman
Frank Foster
Dennis Koehler
Bill Bailey

County Administrator
John C. Sansbury

Department of Engineering
and Public Works
H. F. Kahlert
County Engineer

February 2, 1982

Reed, Smith & Chopin
P.O. Drawer N
Delray Beach, Florida 33444

Attention: Mr. Robert D. Chopin, Attorney

SUBJECT: RESOLUTION TO ABANDON - ABANDONMENT PETITION - CLEMENTS PROPERTY

Gentlemen:

Attached please find a copy of the Resolution to Abandon the subject area, adopted by the Board of County Commissioners on January 5, 1982. This document was recorded in the Office of The Clerk of the Circuit Court, Palm Beach County on January 22, 1982. This completes the requirements for abandonment and closes our file on this matter.

Your cooperation has been appreciated.

Sincerely yours,

H.F. KAHLERT, P.E.
County Engineer

Alan A. Kurtis, P.E.
Director

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RESOLUTION NO. R-82-17

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING CERTAIN PORTIONS OF THE PLATS OF LA HACIENDA RECORDED IN PLAT BOOK 15, PAGE 6; ROYAL PALM GARDENS RECORDED IN PLAT BOOK 21, PAGE 57 AND HARRY SEEMILLER SUBDIVISION RECORDED IN PLAT BOOK 9, PAGE 72, AND ABANDONING ALL RIGHTS OF WAY AND EASEMENTS WITHIN SAID PLATS.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Sections 177.101 and 336.09, Florida Statutes, and Palm Beach County Ordinance No. 71-3, known as Palm Beach County Abandonment and Plat Vacation Ordinance, and upon the petition of Mr. and Mrs. Evans M. Clements, called a public hearing to be held in the County Commissioners Chambers, in the Palm Beach County Courthouse, West Palm Beach, Florida, on January 5, 1982, 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 plats and the road rights of way and easements within said Plats; and

WHEREAS, in accordance with Ordinance No. 71-3, notice of holding such public hearing was duly published in the Palm Beach Post/Times on December 20, 1981, and December 27, 1981; and

WHEREAS, this Board did hold said hearing as advertised and determined that such action will not materially interfere with the County road system and will not deprive any person of a reasonable means of ingress and egress to his premises from at least one County, State or Federal highway;

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 portions of such plats, as recorded in the Public Records of Palm Beach County, Florida be and the same are hereby vacated: Lots 16 to 24, inclusive, Block A; Lots 16 to 24, inclusive, Block B; and Lots 1 to 6, inclusive, Block C, of Plat No. 3, ROYAL PALM GARDENS, recorded in Plat Book 21 at Page 57; and

All that part of Lot 1 of HARRY SEEMILLER'S SUBDIVISION of part of Lots 36, 1, 2 and 3, Section 9, Township 46 South, Range 43 East, Palm Beach County, Florida, recorded in Plat Book 9, Page 72, more particularly described as follows:

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Commencing at the Northwest corner of Lot 18, Block C of LA HACIENDA, as shown on Plat recorded in Plat Book 15, at page 6, Palm Beach County Records; thence North at right angles to the North line of said Lot 18, a distance of 8 feet to the North line of alley as shown on Plat of LA HACIENDA, which is the point of beginning; From said point of beginning run North at right angles to the North line of LA HACIENDA a distance of 239 feet more or less, to the North line of Lot 1 of said HARRY SEEMILLER'S SUBDIVISION, thence East along the North line of Lot 1 of said HARRY SEEMILLER'S SUBDIVISION to the West right of way line of the Intracoastal Waterway; thence southerly along the West right of way line of the Intracoastal Waterway to the North line of LA HACIENDA thence westerly along the north line of LA HACIENDA to the point of beginning; and

Lots 20 to 27, inclusive, and Lots 29 to 34 inclusive, Block C, Lots 21 to 27, inclusive and Lots 29 to 34 inclusive, Block E; and all of Block F of LA HACIENDA, recorded in Plat Book 15, page 6, and

That certain parcel of real property shown on said Plat of LA HACIENDA, which parcel is designated "Lake" and lies between Lake Avenue N and Lake Avenue S, and which surrounds Block F and Lake Trail in said subdivision;

Subject to that certain Spoil Disposal easement over the property in Royal Palm Gardens in favor of the United States of America recorded in Deed Book 852, page 256 and in Deed Book 858, page 53, Public Records of Palm Beach County, Florida.

3. All road rights of way and public easements within said plats as described heretofore are hereby abandoned, and closed as public rights of way and easements and this Board does hereby renounce and disclaim any right of Palm Beach County and the public in and to the rights of way and easements.

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4. Notice of the adoption of this Resolution shall be published once in the Palm Beach Post/Times within thirty (30) days of the date of adoption of this Resolution in accordance with Section 336.10, Florida Statutes, and Ordinance No. 71-3.

BE IT FURTHER RESOLVED THAT the recordation of this Resolution will be withheld until evidence of recorded utility easements in favor of Florida Power and Light and the recorded survey and legal description for a Spoil Disposal Easement in favor of the United States of America are presented to the County Engineer of Palm Beach County, Florida.

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

FRANK H. FOSTER, JR.	aye
NORMAN R. GREGORY	aye
PEGGY B. EVATT	aye
DENNIS P. KOEHLER	aye
BILL BAILEY	absent.

The Chairman thereupon declared the Resolution duly passed and adopted this 5th day of January, 1982.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

_____
COUNTY ATTORNEY

FILED THIS 5th DAY OF January, 1982
AND RECORDED
MINUTE BOOK
PAGE
JOHN B. DUNKLE
BY _____ D.C.

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STATE OF FLORIDA)
COUNTY OF PALM BEACH) SS.

I, JOHN B. DUNKLE, Clerk of the Circuit Court of the Fifteenth Judicial Circuit and ex-officio Clerk of the Board of County Commissioners of Palm Beach County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING CERTAIN PORTIONS OF THE PLATS OF LA HACIENDA RECORDED IN PLAT BOOK 15, PAGE 6; ROYAL PALM GARDENS RECORDED IN PLAT BOOK 21, PAGE 57 AND HARRY SEEMILLER SUBDIVISION RECORDED IN PLAT BOOK 9, PAGE 72, AND ABANDONING ALL RIGHTS OF WAY AND EASEMENTS WITHIN SAID PLATS.

being Resolution No. R-82-17 adopted by the Board of County Commissioners in meeting held on January 5, 1982, as same appears of record in County Commissioners' Minutes Book No. 154 in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board this 19th day of January, A.D. 1982.

JOHN B. DUNKLE, Clerk
Board of County Commissioners

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THE 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 Don K. Creamer, who on oath says that he is Class Adv. Mgr. of The 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 Public Hearing re Clements Property in the Court, was published in said newspaper in the issues of December 20, 27, 1981.

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 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.

NOTICE OF PUBLIC HEARING re Clements Property
NOTICE OF INTENTION TO ABANDON AND VACATE
PUBLIC NOTICE is hereby given to all persons concerned that the Board of County Commissioners of Palm Beach County, Florida, will hold a public hearing in the County Commissioners Chambers in the Palm Beach County Courthouse, West Palm Beach, Florida, on January 5, 1982, at 9:30 A.M. or as soon thereafter as possible, to consider the following described plats and rights of way to be abandoned:
Lots 16 to 24, inclusive, Block A; Lots 16 to 24, inclusive, Block B; and Lots 1 to 6, inclusive, Block C, of Plat No. 3, ROYAL PALM GARDENS, recorded in Plat Book 21 at Page 57; and
All that part of Lot 1 of HARRY SEEMILLER'S SUBDIVISION of part of Lots 36, 1, 2 and 3, Section 9, Township 46 South, Range 43 East, Palm Beach County, Florida, recorded in Plat Book 9, Page 72, more particularly described as follows:
Commencing at the Northwest corner of Lot 18, Block C of LA HACIENDA, as shown on Plat recorded in Plat Book 15, at page 6, Palm Beach County Records; thence North at right angles to the North line of said Lot 18, a distance of 8 feet to the North line of alley as shown on Plat of LA HACIENDA, which is the point of beginning; From said point of beginning run North at right angles to the North line of LA HACIENDA a distance of 239 feet more or less, to the North line of Lot 1 of said HARRY SEEMILLER'S SUBDIVISION, thence East along the North line of Lot 1 of said HARRY SEEMILLER'S SUBDIVISION to the West right of way line of the Intracoastal Waterway; thence southerly along the West right of way line of the Intracoastal Waterway to the North line of LA HACIENDA thence westerly along the north line of LA HACIENDA to the point of beginning; and
Lots 20 to 27, inclusive, and Lots 29 to 34 inclusive, Block C, Lots 21 to 27, inclusive and Lots 29 to 34 inclusive, Block E; and all of Block F of LA HACIENDA, recorded in Plat Book 15, page 6, and
That certain parcel of real property shown on said Plat of LA HACIENDA, which parcel is designated "Lake" and lies between Lake Avenue N and Lake Avenue S, and which surrounds Block F and Lake Trail in said subdivision;
Subject to that certain Spoil Disposal easement over the property in Royal Palm Gardens in favor of the United States of America recorded in Deed Book 852, page 256 and in Deed Book 858, page 53, Public Records of Palm Beach County, Florida.
All road rights of way and public easements within said plats as described heretofore are hereby abandoned, and closed as public rights of way and easements and this Board does hereby renounce and disclaim any right of Palm Beach County and the public in and to the rights of way and easements.
DATED this 19th day of December, 1981.
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
JOHN B. DUNKLE
Clerk
H. F. KAHLERT, P.E.
County Engineer
Publish: December 20, 27, 1981

Sworn to and subscribed before me this 28 day of December, A.D. 1981.

_____
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUNE 15, 1983
BONDED THRU GENERAL INS. UNDERWRITERS

THE 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 Don K. Creamer, who on oath says that he is Class Adv. Mgr. of The 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 Resolution No. R-82-17 in the Court, was published in said newspaper in the issues of January 13, 1982.

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 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.

Sworn to and subscribed before me this 13 day of January, A.D. 1982.

_____
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JUNE 15, 1983
BONDED THRU GENERAL INS. UNDERWRITERS

RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

B3662 P1602

RETURN TO: B. SLIDER
ENGR. DEPT.
LAND DEV. DIV.
S-1170 R.B.I.A.

82 011866

1982 JAN 22 PM 1:24

16.00
2 pgs Asst

B3662 P1601

B3662 P1604