

RESOLUTION NO. R-83-1055

RESOLUTION AMENDING RESOLUTION NO., R-83-383
RESOLUTION APPROVING ZONING PETITION OF ARVIDA CORPORATION
PETITION NO. 74-104(A)

WHEREAS, ARVIDA CORPORATION, petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, sitting as the final zoning authority, on January 6, 1983 and January 27, 1983, respectively, for the Special Exception to Modify the Master Plan for via Verde Planned Unit Development previously approved under Zoning Petition No. 74-104; and

WHEREAS, Resolution No. 83-383, adopted March 22, 1983, confirming the action of the Board of County Commissioners sitting as the final zoning authority on January 22, 1983, attached hereto and made a part hereof, inadvertently contained an error in the legal description and property location; and

WHEREAS, the legal description, property location and zoning district of said zoning resolutions, read as follows:

on a parcel of land lying in section 23, Township 47 South, Range 42 East, being more particularly described as follows: Commencing at the Northwest corner of said Section 23; thence South $00^{\circ}28'57''$ East along the West line of said Section 23, a distance of 1405.54 feet to a point on the centerline of St. Andrews Boulevard, as recorded in Plat Book 35, Pages 190, 191 and 192, said point also being on the South line of L.W.D.D. L-46 Agreement, as recorded in O.R. Book 2184, Page 573, thence North $89^{\circ}15'10''$ East, along said South Line, a distance of 60.00 feet to a point on the East right-of-way of said St. Andrews Boulevard and the Point of Beginning of this description; thence continuing North $89^{\circ}15'10''$ East along said South line of the L.W.D.D. L-46 Agreement, a distance of 275.00 feet to the point on the centerline of the L.W.D.D. L-47 Easement, as recorded in O.R. Book 3301, Page 485; thence South $0^{\circ}44'50''$ East along said centerline, a distance of 121.31 feet to the Point of Curvature of a Circular Curve to the a radius of 603.04 feet; thence along the arc of said curve, an arc distance of 404.16 feet to the Point of Tangency; thence South $39^{\circ}08'50''$ East, a distance of 222.89 feet to a point on the arc of a Circular Curve to the right, whose radius bears South $13^{\circ}16'15''$ East from the last described point, said point being on the North right-of-way line of Verde Trail South, as recorded in Plat Book 38, Page 130, the last three described courses being coincident with the centerline of said L.W.D.D. L-47 Easement; thence Westerly along the arc of said curve, having a radius of 785.13 feet, an arc distance of 14.93 feet to the Point of Tangency; thence South $75^{\circ}38'22''$ West, continuing along said North right-of-way line of Verde Trail South, a distance of 463.18 feet; thence North $58^{\circ}34'54''$ West, a distance of 35.83 feet to a point on a subtending a central angle of $8^{\circ}12'12''$ a distance of 280.64 feet more or less, to a line parallel with and 33 feet Easterly from, measured at right angles to, the West line the said West $1/2$ of the Southwest $1/4$ of the Northwest $1/4$ of Section 13; said parallel line being the Easterly right-of-way line of that certain 666 foot wide right-of-way referred to as Old Military Trail and S.R. No. 200 and more particularly described in Deed Book 533, Page 153. Thence North $0^{\circ}27'11''$ West along said Easterly right-of-way line, a distance of 196.16 feet to the beginning of a curve concave Easterly, having a radius

of 1008.74 feet; thence Northerly along the arc of said curve and said Easterly right-of-way line, sub-tending a central angle of $4^{\circ}41'58''$, a distance of 82.74 feet more or less, to a point in the South line of that certain parcel described in Official Record Book 2276, Page 651; thence South $80^{\circ}24'39''$ East along said South line, a distance of 99.39 feet more or less to the Point of Beginning. Said property located on the-north side of the intersection of Military Trail (S.R. 809) and Old Military Trail, approximately 1.5 miles East of Jog Road in an AR-Agricultural District.

WIIEREAS, the legal description, property location and zoning district of said zoning resolution should have read:

A parcel of land lying in Section 23, Township 47 South, Range 42 East, being more particularly described as follows:

Commencing at the Northwest corner of said Section 23; thence South $00^{\circ}28'57''$ East along the West line of said Section 23, a distance of 1405.54 feet to a point on the centerline of St. Andrews Boulevard, as recorded in Plat Book 35, Pages 190, 191 and 192, said point also being on the South line of L.W.D.D. L46 Agreement, as recorded in O.R. Book 2184, Page 573, thence North $89^{\circ}15'10''$ East, along said South line, a distance of 60.00 feet to a point on the East right-of-way of said St. Andrews Boulevard and the Point of Beginning of this description; thence continuing North $89^{\circ}15'10''$ East along said South line of the L.W.D.D. L-46 agreement, a distance of 275.00 feet to a point on the centerline of the L.W.D.D. L-47 Easement, as recorded in O.R. Book 3301, Page 485; thence South $0^{\circ}44'50''$ East along said centerline, a distance of 121.31 feet to the Point of Curvature of a Circular Curve to the left, having a radius of 603.04 feet; thence along the arc of said **curve**, an arc distance of 404.16 feet to the Point of Tangency; thence South $39^{\circ}08'50''$ East, a distance of 222.89 feet to a point on the arc of a Circular Curve to the right, whose radius bears South $13^{\circ}16'15''$ East from the last described point, said point being on the North right-of-way line of Verde Trail South, as recorded in Plat Bqod 38, Page 130. The last described courses being/coincident with the centerline of said L.W.D.D. L-47 Easement; thence **Westerly** along the arc of said curve, having a radius of 785.13 feet; an arc distance of 14.93 feet to the Point of Tangency; thence South $75^{\circ}38'22''$ West, continuing along said North right-of-way line of Verde Trail South, a distance of 464.18 feet; thence North $58^{\circ}34'54''$ **West**, a distance of 35.83 feet to a point on a Circular Curve to the right, whose radius point bears North $77^{\circ}11'51''$ East from the last described point, said point being on the East right-of-way of said St. Andrews Boulevard; thence Northerly along the arc of said curve, having a radius of 2231.83 feet, an arc distance of 479.90 feet to the Point of Tangency on the East right-of-way of said St. Andrews Boulevard; thence North $00^{\circ}28'57''$ West along said right-of-way, a distance of 287.68 feet to the Point of Beginning of this description; together **with the following** described parcel:

Commencing at Point "A", as shown on the plat of Verde Trail South and St. Andrews Boulevard of Via Verde P.U.D., as recorded in Plat Book 35, Pages 190, 191, and 192, said point being the intersection of St. Andrews Boulevard and Verde Trail South; thence North $75^{\circ}38'22''$ East, along the said centerline of Verde Trail South, a distance of 85.82 feet; thence south $14^{\circ}21'32''$ East, a distance of 35.00 feet to the point on the Southerly right-of-way line of Verde Trail South, as shown on the Plat of ' Plat No. 2, Verde Trail South of Via Verde P.U.D., as recorded in Plat Book 38, Page 1.30, said point also being the Point of Beginning of this description; thence North $75^{\circ}38'22''$ East, along the said Southerly -right-of-way line, a distance of 401.23 feet to a point on the Westerly line of the L.W.D.D. L-47 Canal Easement, as recorded in O.R. Book 3301, Page 485; thence South $39^{\circ}08'50''$ East, a distance of 188.74 feet to the Point of Curvature of a circular curve to the right; thence Southerly and **Westerly** along the arc of said curve having a radius of 195.00 feet an arc distance of 439.03 feet, to the Point of Tangency; thence South $89^{\circ}51'07''$ West, a distance of 249.83 feet to a point on the arc of a circular curve to the right, whose radius point bears North $64^{\circ}54'08''$ East, from the last described point,

the last three courses being coincident with the Westerly and Northerly boundaries of the said L.W.D.D. L-47 Canal Easement; thence Northerly along the **arc** of said curve and being the Easterly right-of-way line of said St. Andrews Boulevard, having a radius of 2231.83 feet, an arc distance of 357.55 feet; thence North 29°51'38" East, a distance of 35.83 feet to the Point of Beginning. Said property located on the Northeast and Southeast corner of the intersection of Verde Trail South and St. Andrews Boulevard in an RS-Residential Single Family District.

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-83-383 is amended.

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

Peggy E. Evatt, Chairman	- Aye
Ken Spillias, Vice Chairman	- Aye
Dennis P. Koehler, Member	- Absent'
Dorothy Wilken, Member	- Aye
Bill Bailey, Member	- Aye

The Chairman thereupon declared the resolution duly passed and adopted this 13th day of September, 1983

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

JOHN P. DUNKLE, Clerk

By: Trudy Maddox
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Collett
County Attorney

