

RESOLUTION NO. R-1831

RESOLUTION APPROVING ZONING PETITION 84-95, Rezoning

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 84-95 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 26th July 1984; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of June 1984, that Petition No. 84-95 the petition of MISSION BAY DEVELOPMENT CO., INC. By William R. Boose, III, Esquire, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RTS-RESIDENTIAL TRANSITIONAL DISTRICTS on Tracts 6 through 12 inclusive, Tracts 21 through 28 inclusive, Tracts 33 through 64 inclusive, all in Section 13, Township 47 South, Range 41 East, according to the Plat of Florida Fruit Lands Company's Subdivision No. 2, in Plat Book 1, Page 102, together with the South 3/4 of the East 1/4 of Section 14, Township 47 South, Range 41 East, less and except the following;

Beginning at the Northwest corner of Section 24, Township 47 South, Range 41 East, said **corner** having a 2-inch O.D. Pipe with a State of Florida **brass** disk fastened to the top; thence North 89 degrees

47'06" East along the North line of Section 24, a distance of 5281.77 feet to the Northeast **corner** of Section 24 which has now been replaced by a Palm Beach County Survey brass disk; thence North 04 degrees 27'48" West, 367.70 feet to the Northwest **corner** of Section 19, Township 47 South, Range 42 East as marked **by a brass** marker; thence South 85 degrees 47'35" West, 5267.31 feet to the said Northwest **corner** of Section 24 and the Point of Beginning.

Less the 75 foot **right-of-way** for State Road No. 7 as recorded in Road Book 1, Page **35**, less the **rights-of-way** as recorded in the Florida Fruit Lands Company Subdivision No. 2, less that portion of the Palm Beach County Road Right-of-way as described in Deed Book **1054**, Page 204, and is redescrbed as follows:

A 33 foot strip in **Tracts** 56 and 57, Florida Fruit Lands Company's Subdivision No. 2, Sheet 2 of **4**, as recorded in Plat Book 1, Page 102, lying South of and coincident with a line connecting the Northwest corner of Section 24, Township 47 South, Range 41 East to the Northwest **corner** of Section 19, Township 47 South, Range 42 East, bounded on the West by the West line of said **Tract 57**, and bounded on the East by the West line of the **75** foot right-of-way of State Road **7**. Less the following described parcel:

A **parcel** of land being a portion of **Tracts 7, 8, 9, 49, 50** and 51 of Florida Fruit Lands Company's Subdivision No. 2 as recorded in Plat Book 1, Page 102 and located in Section 13, Township **47** South, Range 41 East, being more particularly described as follows:

Commencing at the Southeast **corner** of said Section 13; thence North 00 degrees 54'39" West, along the East line of said Section 13, a distance of 1644.81 feet; thence South 89 degrees 08'17" West, a distance of **86.69** feet to the existing West **right-of-way** line of State Road No. **7** and the Point of Beginning; thence continue South 89 degrees 08'17" West, a distance of 259.50 feet; thence North 00 degrees 51'43" West, a distance of **560.64** feet; thence South 89 degrees 08'17" West, a distance of 100.00 feet; thence South **37** degrees **08'17"** West, a distance of 100.00 feet; thence South 00 degrees 51'43" East, a distance of 180.00 feet; thence South 89 degrees **08'17"** West, a distance of **140.00** feet; thence South 37

degrees 08'17" West, a distance of 180.00 feet; thence South 89 degrees 08'17" West, a distance of 375.00 feet; thence North 12 degrees 51'43" West, a distance of 1100.00 feet; thence North 39 degrees 14'42" East, a distance of 489.88 feet; thence North 89 degrees 08'17" East, a distance of 960.00 feet to the said right-of-way of State Road No. 7; thence South 00 degrees 51'43" East, along said right-of-way, a distance of 1610.64 feet to the Point of Beginning. Said property located on the west side of S.R. 7 (U.S. 441), approximately 1.3 miles south of Yamoto Road Extension was approved as advertised.

Commissioner Bailey, moved for approval of the petition. The motion was seconded by Commissioner Evatt, and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	-- AYE
Dorothy Wilkens, Vice Chairman	-- NAY
Peggy Evatt, Member	-- AYE
Dennis P. Koehler, Member	-- AYE
Bill Bailey, Member	-- AYE

The foregoing resolution was declared duly passed and adopted this day of **DEC 11 1984**, confirming action of the 26th July 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Donna McWilliams*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Pauley Sprague
County Attorney