

RESOLUTION NO. R-89-604

RESOLUTION APPROVING ZONING PETITION NO. 84-192(A)
REZONING PETITION OF SABRA FINANCIAL SERVICES, INC.

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. 84-192(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 4, 1988; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 84-192(A), the petition of SABRA FINANCIAL SERVICES, INC., for a REZONING FROM RH-MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT (High Density), IN PART, AND CG-GENERAL COMMERCIAL ZONING DISTRICT, IN PART, ENTIRELY TO CG-GENERAL COMMERCIAL ZONING DISTRICT, on a parcel of land lying in PARCEL 1: The West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 and the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, **LESS** right-of-way of Central and Southern Florida Flood Control District. **SUBJECT TO** right-of-way for Indiantown Road (S.R. 706) as laid out in and in use.

TOGETHER WITH: A parcel of land lying in the Southeast 1/4 of the Northwest 1/4 of Section 3. Township 41 South, Range 42 East,

Being more particularly described as follows:

Beginning at the point of intersection of the West line of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3, aforesaid with the Southerly right-of-way line of South Florida Water Management District Canal C-18 (700 foot right-of-way), said point being Point of Beginning #1; Thence North 73 degrees 38' 44" East, along said Southerly right-of-way line (the South line of the Northwest 1/4 of said Section 3 is assumed to bear North 89 degrees 24' 37" West and all other bearing are relative thereto), a distance of 573.44 feet to a point; thence North 88 degrees 15' 08" West, departing from the Southerly right-of-way line of said C-18 Canal, a distance of 307.41 feet to a point; thence South 01 degrees 44' 52" West a distance of 50.00 feet to a point; thence North 88 degrees 15' 08" West a distance of 238.37 feet to a point lying on the West line of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 3; thence South 01 degrees 25' 25" West, along said West line, a distance of 128.18 feet to the POINT OF BEGINNING.

LESS AND EXCEPT: A parcel of land lying in the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, being more particularly described as follows:

Commencing at the point of intersection of the West line of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3 aforesaid with the Southerly right-of-way line of South Florida Water Management District Canal C-18 (700 foot right-of-way); thence North 73 degrees 38' 44" East, along said Southerly right-of-way line (the South line of the Northwest 1/4 of said Section 3 is assumed to bear North 89 degrees 24' 37" West and all other bearing are relative thereto), a distance of 573.44 feet to a point, said point being Point of Beginning #2; thence continue North 73 degrees 38' 44" East, along the Southerly right-of-way line of said C-18 Canal, a distance of 14.72 feet to a point, thence North 61 degrees 33' 03" East, continuing along the Southerly right-of-way line of said C-18 Canal, a distance of 114.07 feet to a point lying on the East line of the West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 3; thence South 01 degrees 44' 52" West, along said East line and departing from the Southerly right-of-way line of said C-18 Canal, a distance of 61.95 feet to a point; thence North 88 degrees 15' 08" West, departing from said East line, a distance of 112.59 feet to the Point of Beginning.

PARCEL 2: That part of the West 1/4 of the Southeast 1/4 of the Northwest 1/4 and the East 1/2 of the Southwest 1/4 of the Northwest 1/4, lying South of Canal C-18 right-of-way of Central and Southern Florida Flood Control District, in Section 3, Township 41 South, Range 42 East, Subject to right-of-way for Indiantown Road (S.R. 706) as laid out and in use.

TOGETHER WITH: A parcel of land lying in the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, being more particularly described as follows:

Beginning at the point of intersection of the West line of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3 aforesaid with the Southerly right-of-way line of South Florida Water Management District Canal C-18 (700 foot right-of-way), said point being Point of Beginning #1: thence South 73 degrees 38' 44" West, along said Southerly right-of-way line (the South line of the Northwest 1/4 of said Section 3 is assumed to bear North 89 degrees 24' 37" West and all other bearing are relative thereto), a distance of 314.03 to a point of curve concave to the Southeast, having a radius of 1193.47 feet and a central angle of 17 degrees 20' 12"; thence Southwesterly, along the arc of said curve and continuing along the Southerly right-of-way line of said C-18 Canal, a distance of 361.12 feet to a point; thence North 01 degrees 37' 20" West, departing from the arc of said curve and the Southerly right-of-way line of said C-18 Canal, a distance of 58.54 feet to a point lying on the arc of a curve concentric to the preceding described curve, having a radius of 1243.47 feet, a central angle of 15 degrees 54' 16" and a radial bearing at this point of South 32 degrees 15' 32" East; thence Northeasterly, along the arc of said curve, a distance of 345.17 feet to the point of tangent of said curve; thence North 73 degrees 38' 44" East a distance of 264.78 feet to a point; thence North 01 degrees 44' 52" East a distance of 95.95 feet to a point; thence South 88 degrees 15' 08" East, a distance of 61.63 feet to a point lying on the West line of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 3; thence South 01 degrees 25' 25" West, along said West line a distance of 128.18 feet to the Point of Beginning.

PARCEL 3: The East 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, LESS HOWEVER the rights-of-way for F.C.D. C-18 Canal and State Road 706. LESS AND EXCEPT: A portion of Section 3, Township 41 South, Range 42 East, being described as follows:

Begin on the East line of the Northwest 1/4 of said Section 3; at a point North 01 degrees 55' 52" East 119.08 feet from the Southeast corner thereof; thence run South 88 degrees 22' 40" West 327.75 feet; thence North 01 degrees 45' 49" East 20.04 feet; thence North 88 degrees 22' 40" East 317.79 feet; thence North 03 degrees 19' 23" East 411.63 feet; thence South 01 degrees 55' 52" West 430.92 feet to the Point of Beginning.

ALSO LESS AND EXCEPT: A parcel of land lying in the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, being more particularly described as follows:

Commencing at the point of intersection of the West line of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 3 aforesaid with the Southerly right-of-way line of South Florida Water Management District Canal C-18

(700 foot right-of-way); thence North 73 degrees 38' 44" East, along said Southerly right-of-way line (the South line of the Northwest 1/4 of said Section 3 is assumed to bear North 89 degrees 24' 37" West and all other bearing are relative thereto), a distance of 588.16 feet to a point; thence North 61 degrees 33' 03" East continuing along the Southerly right-of-way line of said C-18 Canal, a distance of 114.07 feet to the Point of Beginning of the herein described parcel, said point being Point of Beginning #3 and lying on the East line of the West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 3; thence continue North 61 degrees 33' 03" East along the Southerly right-of-way line of said C-18 Canal, a distance of 381.80 feet to a point, said point lying on the North-South quarter section line of said Section 3; thence South 01 degrees 54' 36" West, along the North-South quarter section line of said Section 3, a distance of 311.92 feet to a point; thence North 88 degrees 05' 24" West, departing from the North-South quarter section line of said Section 3, a distance of 329.11 feet to a point, said point lying on the East line of the West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 3; thence North 01 degrees 44' 52" East, along said East line, a distance of 118.95 feet to the Point of Beginning.

LESS AND EXCEPTING from the above described Parcels 1 and 2, the following described parcels designated as (A), (B)(1) and (B)(2) which are also described in Official Record Book 3953, Page 1870: PARCEL (A): That part of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 41 South, Range 42 East, lying Southerly and Easterly of Canal C-18; lying within 141.00 feet of the centerline of survey: said survey line being described as follows:

Beginning on the West line of said Section 3; at a point South 00 degrees 36' 44" West 32.27 feet from the Northwest corner of the Southwest 1/4 of said Section 3; thence run North 88 degrees 22' 40" East 831.69 feet to the end of said survey line; thence for a Point of Reference, continue North 88 degrees 22' 40" East 1787.04 feet to a point North 01 degrees 55' 52" East 68.98 feet from the Southeast corner of the Northwest 1/4 of said Section 3; LESS AND EXCEPT therefrom the existing right-of-way for State Road 706. TOGETHER WITH all rights of ingress, egress, light, air, and view between the Grantor's remaining property and any facility constructed on the above described property. PARCEL (B)(1): A portion of Section 3, Township 41 South, Range 42 East, being described as follows:

Commence at the Southeast corner of the Northwest 1/4 of said Section 3; thence run North 01 degrees 55' 52" East 119.08 feet to the North right-of-way line of State Road 706; thence South 88 degrees 22' 44" West 327.75 feet along said line to the Point of Beginning; thence continue South 88 degrees 22' 40" West 1462.40 feet along said line; thence North 01 degrees 37' 20" West 91.00 feet; thence South 88 degrees 22' 40" West 61.60 feet

to a point on a curve concave to the Southeasterly having a radius of 1193.47 feet; thence from a tangent bearing of North 39 degrees 32' 40" East run Northeasterly along said curve 40.46 feet through an angle of 01 degrees 56' 33" to the end of this portion of said curve; thence North 88 degrees 22' 40" East 95.98 feet; thence South 01 degrees 37' 20" East 101.00 feet; thence North 88 degrees 22' 40" East 1402.05 feet; thence South 01 degrees 45' 49" West 20.04 feet to the Point of Beginning.

ALSO PARCEL (B)(2): A portion of Section 3, Township 41 South, Range 42 East, being described as follows:

Begin on the South line of the Northwest 1/4 of said Section 3; at a point North 89 degrees 24' 25" West 326.89 feet from the Southeast corner of the Northwest 1/4 of said Section 3; thence run North 89 degrees 24' 25" West 160.69 feet to the South right-of-way line of State Road 706; thence North 88 degrees 22' 40" East 160.94 feet along said line; thence South 01 degrees 45' 49" West 6.22 feet to the Point of Beginning. SUBJECT TO THE FOLLOWING: All matters contained in Deed to State of Florida, for use and benefit of Florida Department of Transportation recorded in Official Record Book 3953, Page 1870; right-of-way of Central and Southern Florida Flood Control District (now South Florida Water Management District) recorded in Official Record Book 115, Page 236; right-of-way of State Road 706, including but not limited to such as shown in Road Plat Book 1, Pages 161 through 166, inclusive, located on the northwest corner of the intersection of Indiantown Road (S.R. 706) and Central Boulevard, was approved as advertised.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1989 confirming action of January 4, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

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