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B4076 P1004

RESOLUTION NO. R-83-1212

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ABANDONING A THIRTY (30)-FOOT ROAD RIGHT OF WAY LOCATED IN TRACT 29, BLOCK 81, PALM BEACH FARMS PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 53 AND A TWELVE (12) FOOT UTILITY EASEMENT LOCATED IN RECREATION AREA "C", SANDALFOOT COVE, SECTION SEVEN, RECORDED IN PLAT BOOK 30, PAGE 226, PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Section 336.09 and 177.101, Florida Statutes, and Ordinance No. 71-3, known as the Palm Beach Road Abandonment and Plat Vacation Ordinance, called a public hearing to be held in the County Commissioners Chambers, at the Palm Beach County Courthouse, West Palm Beach, Florida, on September 27, 1983, 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 to the hereinafter described thirty (30) foot right of way and the twelve (12) foot utility easement; and

WHEREAS, in accordance with Ordinance No. 71-3, notice of the holding of such meeting was duly published in the Palm Beach Post/Times on September 11, 1983, and September 19, 1983; 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; and

WHEREAS, this Board has determined that said easement is in excess of the requirements of the local utility services.

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 right of way is hereby abandoned and closed as public right of way, and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the public in and to the following:

That certain thirty (30) foot platted road right of way located on the north side of the north 396 feet of Tract 29, Block 81, Palm Beach Farms Plat No. 3, Recorded in Plat Book 2, Page 53, Public Records of Palm Beach County, Florida.

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

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY

COUNTY ATTORNEY

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

JOHN B. DUNKLE, Clerk

By: [Signature] Deputy Clerk

SEP 27 1983

3. That twelve (12) foot utility easement located on the south and east sides of Recreation Area "C", as shown in Sandalfoot Cove Section Seven, recorded in Plat Book 30, Page 226, Public Records of Palm Beach County, Florida is hereby abandoned and closed as public easement, and this Board does hereby renounce and disclaim all rights, if any, Palm Beach County or the general public has in and to said easement.

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.

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

- PEGGY B. EVATT ABSENT
KENNETH SPILLIAS AYE
DENNIS P. KOEHLER AYE
DOROTHY WILKEN AYE
BILL BAILEY AYE

The Chairman thereupon declared the Resolution duly passed and adopted this 27th day of September, 1983.

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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 Joseph A. Ernst who on oath says that he is Class. Adv. Mem. 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 PB Farms, was published in said newspaper in the issues of September 11, 18, 1983

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 19 day of September, A.D. 1983

[Signature] Notary Public

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 Joseph A. Ernst who on oath says that he is Class. Adv. Mem. 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 Sandalfoot Ave., was published in said newspaper in the issues of October 23, 1983

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 24 day of October, A.D. 83

[Signature] Notary Public

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NO. 48811 NOTICE OF INTENTION TO ABANDON/VACATE PUBLIC NOTICE is hereby given in compliance with Chapters 306.09 and 336.10, Florida Statutes, that the Board of County Commissioners of Palm Beach County, Florida, at its regular meeting in the County Commissioners Chambers, Court House, West Palm Beach, Florida on September 27, 1983, will hold a Public Hearing on the abandonment/vacation of the following described:

NO. 48814 Resolution R-83-1212 Whereas the Board of County Commissioners pursuant to the authority provided in Chapter 306.09, Florida Statutes, and pursuant to Ordinance 71-3, did hold a Public Hearing on September 27, 1983, Resolutions R-83-1212, pertaining to the abandonment/vacation of a 30 foot right of way located in Tract 29, Block 81, Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Page 53 and a 12 foot utility easement in Recreation Area "C", Sandalfoot Cove, Section 7, recorded in Plat Book 30, Page 226, Public Records of Palm Beach County, Florida, was duly passed and recorded in the Minutes of the Board of County Commissioners of Palm Beach County, Florida. Witness my hand and the Seal of the Board of County Commissioners of Palm Beach County, Florida. October 23, 1983

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