RESOLUTION NO. R-83-1181

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, VACATING TWO UTILITY EASEMENTS WITHIN 1 OF MILLER'S PINES, P.U.D., RECORDED IN PLAT BOOK 34, PAGE 25, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to authority in Sections 177.101 and 336.09, Florida Statutes, and Ordinance No. 71-3, known as the Palm Beach County Road Abandonment and Plat Vacation Ordinance and upon the petition of Mr. & Mrs. Thomas G. Johnson, owners of said Lot 1, for the vacation of two public utility easements within Lot 1 of said Miller's Pines, P.U.D.; and

WHEREAS, this Petition substantially complies with the terms and conditions of the vacation as set forth in said Ordinance; and

WHEREAS, this Board while convened in regular session on the 27th day of September, 1983 did hold a meeting on said Petition to vacate, and this Board having determined that the six (6) foot utility easement is in excess of the requirements of the local utility companies; and

WHEREAS, that 30 foot public easement as shown on Lot 1 of said Plat is not in public use and there is no affirmative proof as to its existence.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby reaffirmed and ratified.

2. The six (6) foot utility easement within Lot 1 of Miller's Pines, P.U.D., recorded in Plat Book 34, Page 25, Public Records of Palm Beach County, Florida, is hereby vacated and closed as a public easement and this Board does hereby renounce and disclaim any right or interest of Palm Beach County and the Public in and to said easement;

3. The thirty (30) foot Public Easement, as referenced in Official Record Book 550, Page 122 and shown on Lot 1 of said Miller's Pines, P.U.D., Plat had never been properly ratified, and this Board recognizes the absence of legal creation of 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.

13.60

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

83 NOV -2 AM 8:33

B4076 P1010

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. 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 Miller's Pines in the ____ Court, 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.

Joseph A. Ernst

Sworn to and subscribed before me this 24 day of October A.D. 1983

Barbara M. McCloud
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
BONDED THRU GENERAL INSURANCE UNDS.

NO. 449197
Resolution R-83-1181
Whereas the Board of County Commissioners pursuant to its authority in Chapter 336.09, Florida Statutes, as amended in Chapter 71-3, did hold a Public Hearing on September 27, 1983, Resolution Public Hearing on September 27, 1983, Resolution R-83-1181 relating to: the abandonment/vacation of 2 utility easements in Plat Book 34 Miller's Pines, P.U.D. recorded in Plat Book 34 Page 25, public records of Palm Beach County, Florida, was duly passed and received "Party, Florida, was duly passed and County Commission, the Minutes of the Board of Board of County Commissioners
Palm Beach County, Florida
Publish: October 23, 1983

B4076 P1012

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

PEGGY B. EVATT	AYE
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.

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Louis R. Oliver
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

County Attorney

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B4076 P1011

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