

RESOLUTION NO. 49-2025 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE CONDITIONAL ABANDONMENT OF THE EASTERNMOST 125 FEET AND THE SOUTHERN HALF OF THE WESTERNMOST 155 FEET OF THE APPROXIMATELY 15-FOOT-WIDE RIGHT-OF-WAY LOCATED BETWEEN 501 TO 521 LAKE AVENUE, INCLUSIVE, 13 SOUTH M STREET, AND 16 SOUTH L STREET; AND ABANDONMENT OF THE NORTHERNMOST 150 FEET AND THE WESTERN HALF OF THE SOUTHERNMOST 100 FEET OF THE APPROXIMATELY 10-FOOT-WIDE RIGHT-OF-WAY LOCATED BETWEEN 13 TO 23 SOUTH M STREET, INCLUSIVE, 16 TO 32 SOUTH L STREET, INCLUSIVE, AND 500 1ST AVENUE; AND PROVIDING FOR CONDITIONS, AUTHORIZATION TO ACCEPT, RECORDING, AND AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach (City) owns a fifteen (15) foot wide right-of way running east-west between 501-521 Lake Avenue, 13 South M Street, and 16 South L Street; and a ten (10) foot wide right-of way running north-south between 13-21 South M Street, 16-32 South L Street, and 500 1st Avenue South, in the City of Lake Worth Beach, Florida; and

WHEREAS, the City and the Lake Worth Beach Community Redevelopment Agency (CRA) have entered into a Development Agreement with Sunshine Lake Worth Development, LLC (SLWD), a Florida limited liability company, for the redevelopment of properties generally located at 501 Lake Avenue, Lake Worth Beach, depicted and legally described in the Boundary and Topographic Survey attached hereto as **Exhibit "1"** (see description of Parcels 1 through 11), which properties abut the City's right-of-way (Abutting Property); and

WHEREAS, the CRA and SLWD entered that certain Purchase and Sale Agreement dated October 18, 2024 (PSA) for SLWD to acquire the Abutting Property; and

WHEREAS, pursuant to the Development Agreement and the PSA, SLWD will become the owner of the Abutting Property and seeks to have the right-of-way as legally described and sketched in **Exhibit "A"** (ROW), abandoned by the City to facilitate the redevelopment contemplated by the Development Agreement; and

WHEREAS, the City has public utilities running through both portions of the ROW but has not otherwise utilized the ROW for right-of-way purposes or for any other public purpose; and

WHEREAS, the fifteen (15) foot wide right-of way running east-west between 501-521 Lake Avenue, 13 South M Street, and 16 South L Street will need to be open for public access as it will become an art walk; and

WHEREAS, if SLWD closes on the Abutting Property, SLWD will execute and provide the City with a utility easement to provide for existing and future public utilities in the ROW and a public access easement to allow public access to the art walk (Easements); and

WHEREAS, the City Commission finds that the ROW under consideration, as more fully described in **Exhibit "A"**, is not needed by the public as right-of-way and the same should therefore be returned to private ownership contingent and subject to SLWD closing on the Abutting Properties and SLWD providing the executed Easements to the City; and,

WHEREAS, subject to the foregoing conditions, the City has determined that abandoning the ROW serves a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The foregoing recitals and findings are incorporated into this Resolution as true statements. Exhibit "1" and Exhibit "A" referenced above are attached hereto and incorporated into this Resolution.

Section 2. The City Commission of the City of Lake Worth Beach, Florida, hereby declares that the ROW described and depicted in **Exhibit "A"** shall be abandoned only upon and subject to SLWD closing on the Abutting Property as legally described in **Exhibit "1" (see page 1, Parcels 1 to 11 inclusive)** and SLWD providing the City with the executed Easements.

Section 3. Upon notice that SLWD has closed on the Abutting Property and the City's receipt of the executed Easements from SLWD, the Mayor or designee is authorized to execute the Easements as accepted by the City. Thereafter, the City Clerk shall record this Resolution along with the fully executed and accepted Easements in the Official Records in and for the County of Palm Beach, Florida, to evidence and effectuate the abandonment of the ROW and the City's acceptance of the Easements.

Section 4. This Resolution shall become effective upon recordation in the Official Records in and for the County of Palm Beach, Florida. Upon the recording of this Resolution, the ROW will revert to the abutting property owners.

Section 5. If SLWD does not close on the Abutting Property and/or provide the City with the executed Easements, this Resolution shall not be recorded and shall have no force or effect until the stated conditions have been met by SLWD and this Resolution is recorded.

The passage of this Resolution was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Sarah Malega
Commissioner Christopher McVoy
Commissioner Mimi May
Commissioner Anthony Segrich

The Mayor thereupon declared this resolution duly passed and adopted on the ____ day of _____, 2025.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

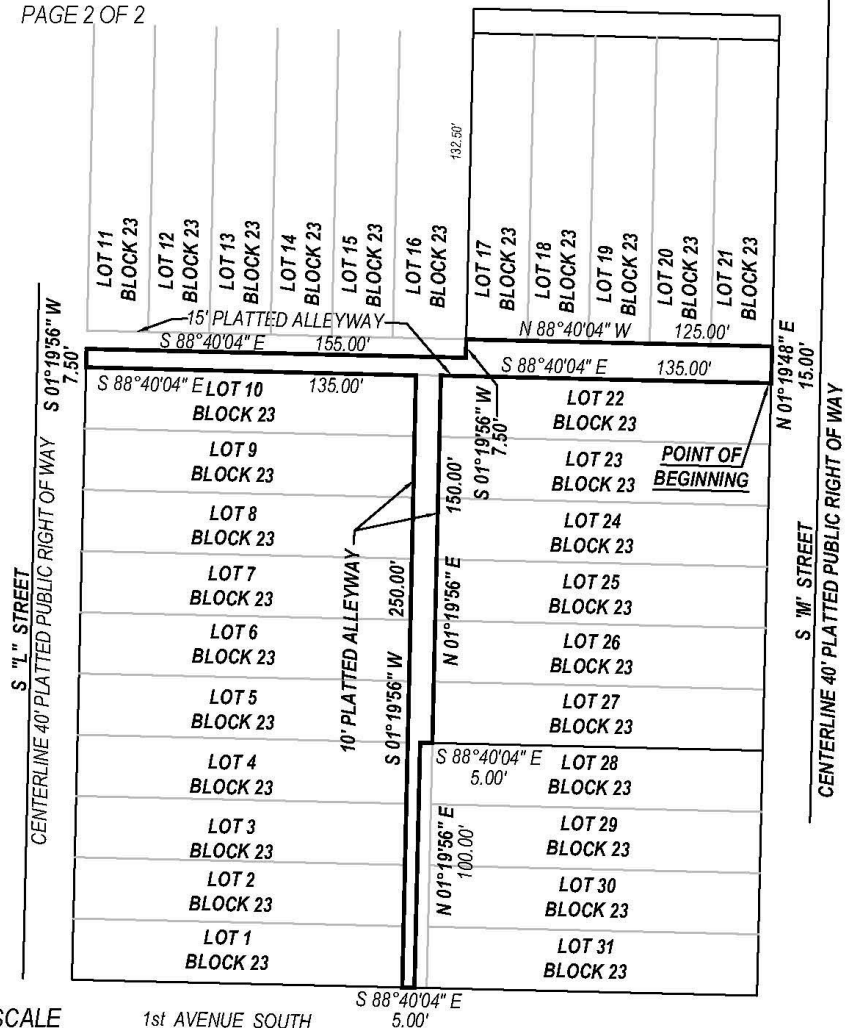
ATTEST:

Melissa Ann Coyne, MMC, City Clerk

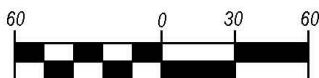
25/07/2005	HR14-01	SP	CC	26-25-25
29-08-2005	HR15		F1	03-20-24
	ACC INFO	F1U	DRK	25-05-27
	HR14-02-0100	F1U	DRK	26-26-27
	HR14-01-0101		CC	1-15-19
	AL-1270		CC	26-24-16
	EXP-ADVISORY GROUP	PROG	CD	26-16-17
26/08	P-10035C	F1CD	DRK	26-16-17

EXHIBIT "A"
LEGAL DESCRIPTION AND SKETCH
THIS IS NOT A SURVEY

LAKE AVENUE
CENTERLINE PLATTED 60' PUBLIC RIGHT OF WAY



1st AVENUE SOUTH



1 INCH = FT. 60



**PRINCIPAL
MERIDIAN
SURVEYING INC.**

4546 CAMBRIDGE STREET
WEST PALM BEACH, FL 33415
PHONE 833.478.7764 / FAX 561.478.1094
WWW.PMSURVEYING.NET
JOB#S25-0021



DATE: 02-07-25

EXHIBIT "A"
LEGAL DESCRIPTION AND SKETCH
THIS IS NOT A SURVEY

PAGE 1 OF 2

DESCRIPTION :

A PORTION OF BLOCK 23, THE PALM BEACH FARMS CO., PLAT NO. 2, THE TOWNSITE OF LUCERNE (NOW KNOWN AS LAKE WORTH), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 29, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID PORTION BEING CONTAINED WITHIN THE ALLEYWAYS EXISTING WITHIN SAID BLOCK 23, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 22, BLOCK 23, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A 15 FEET WIDE ALLEYWAY; THENCE PROCEED ALONG THE EAST LINE OF SAID ALLEYWAY (ALSO BEING THE WEST RIGHT OF WAY LINE OF SOUTH 'M' STREET) N01°19'48"E A DISTANCE OF 15.00 FEET TO THE SOUTHEAST CORNER OF LOT 21, BLOCK 23; THENCE PROCEED N88°40'04"W ALONG THE SOUTH LINES OF LOTS 17, 18, 19, 20, AND 21, 125.00 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID LOT 17; THENCE PROCEED S01°19'56"W ALONG THE SOUTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 17 A DISTANCE OF 7.50 FEET, TO A POINT ON THE CENTERLINE OF SAID 15 FEET WIDE ALLEYWAY; THENCE PROCEED ALONG SAID CENTERLINE N88°40'04"W A DISTANCE OF 155.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH 'L' STREET; THENCE PROCEED S01°19'56"W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 7.50 FEET TO THE NORTHWEST CORNER OF LOT 10, BLOCK 23 AND BEING THE SOUTH LINE OF SAID 15 FEET WIDE ALLEYWAY; THENCE PROCEED S88°40'04"E ALONG SAID LINE A DISTANCE OF 135.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, ALSO BEING THE NORTHWEST CORNER OF A 10 FEET WIDE ALLEYWAY; THENCE PROCEED S01°19'56"W ALONG THE WEST LINE OF SAID 10 FEET WIDE ALLEY, A DISTANCE OF 250.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF FIRST AVENUE SOUTH, ALSO BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 23; THENCE PROCEED ALONG SAID NORTH RIGHT OF WAY S88°40'04"E A DISTANCE OF 5.00 FEET TO THE CENTERLINE OF SAID 10.00 FEET WIDE ALLEYWAY; THENCE PROCEED ALONG SAID CENTERLINE N01°19'56"E A DISTANCE OF 100.00 FEET; THENCE PROCEED S88°40'04"E ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 27, BLOCK 23, A DISTANCE OF 5.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE PROCEED ALONG THE EAST LINE OF SAID 10.00 FEET WIDE ALLEYWAY N01°19'56"E A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF LOT 22, BLOCK 23; THENCE PROCEED ALONG THE NORTH LINE OF SAID LOT 22, S88°40'04"E A DISTANCE OF 135.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 22 AND THE POINT AND PLACE OF BEGINNING.

CONTAINING 5074.48 SQUARE FEET±.

SURVEYORS' NOTES:

1. THIS SKETCH OF DESCRIPTION MEETS STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17.050-052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTES.
2. THIS FIRM'S CERTIFICATE OF AUTHORIZATION NUMBER IS LB 8261.
3. THIS SKETCH AND LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF THE SURVEYOR AND MAPPER NAMED HEREON.
4. THIS SKETCH AND LEGAL IS BASED ON A SURVEY PREPARED BY THIS OFFICE.



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