

RESOLUTION NO. 35-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF THE APPROXIMATELY 40-FOOT-WIDE 9TH AVENUE SOUTH RIGHT-OF-WAY AND THE APPROXIMATELY 10-FOOT-WIDE ALLEY RIGHT-OF-WAY LAYING BETWEEN 821 SOUTH DIXIE HIGHWAY, 901 SOUTH DIXIE HIGHWAY, 808 SOUTH H STREET, 818 SOUTH H STREET, 824 SOUTH H STREET, 826 SOUTH STREET, 832 SOUTH H STREET, AND 902 SOUTH H STREET AND REVERTING BACK TO THE PROPERTY OWNER OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-21-15-255-0090; 38-43-44-21-15-255-0080; 38-43-44-21-15-253-0110; 38-43-44-21-15-253-0060; 38-43-44-21-15-253-0040; 38-43-44-21-15-253-0032; 38-43-44-21-15-253-0020; AND 38-43-44-21-15-253-0010) AS DESCRIBED HEREIN; SUBJECT TO CONDITIONS; AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE.

WHEREAS, the abutting property owners are Eswin Perez (PCN: 38-43-44-21-15-255-0080) hereinafter referred to as "902 South H Street", Rashda Tariq (PCN: 38-43-44-21-15-255-0090) hereinafter referred to as "901 South Dixie Highway", and BHOJA CORPORATION (PCN: 38-43-44-21-15-253-0060) hereinafter referred to as "808 South H Street"; and,

WHEREAS, Madison Terrace LLC on behalf of BUYERS CHOICE AUTO SALES, has requested the right-of-way abandonment in conjunction with the construction of a 176-unit multi-family project proposed on the north side of 9th Avenue South utilizing the parcels located at 821 South Dixie Highway, 818 South H Street, 824 South H Street, 826 South H Street, and 832 South H Street (PCN: 38-43-44-21-15-253-0110; 38-43-44-21-15-253-0040; 38-43-44-21-15-253-0032; 38-43-44-21-15-253-0020; and 38-43-44-21-15-253-0010). This project is commonly referred to as "Madison Terrace"; and

WHEREAS, a utility easement dedication will be entered into for existing utilities;

WHEREAS, the City Commission seeks to hear the proposed abandonment at a public hearing on October 3, 2023 and consider any comments, objections or protest to the same.

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

Section 1. The foregoing recitals are incorporated into this Resolution as true statements.

Section 2. The City Commission of the City of Lake Worth Beach, Florida, hereby declares its intention to consider the abandonment of the following described right-of-way which will revert back to the property owners as follows:

THE APPROXIMATELY 40 FOOT WIDE 9TH AVENUE SOUTH RIGHT-OF-WAY LAYING BETWEEN LOTS 1 & 8, BLOCK 253 AND LOTS 8 & 9, BLOCK 255 IN THE

TOWNSITE OF LUCERNE, (N/K/A LAKE WORTH BEACH) ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 29 TO 40 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND REVERTING BACK TO THE PROPERTY OWNER OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-21-15-253-0110; 38-43-44-21-15-253-0010; 38-43-44-21-15-255-0080 AND 38-43-44-21-15-255-0090) LOCATED ALONG THE EAST AND WEST LINES OF THE RIGHT-OF-WAY.

THE APPROXIMATELY A 10 FOOT WIDE ALLEY RIGHT-OF-WAY LAYING BETWEEN LOTS 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, & 16, BLOCK 253 IN THE TOWNSITE OF LUCERNE, (N/K/A LAKE WORTH BEACH) ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGES 29 TO 40 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND REVERTING BACK TO THE PROPERTY OWNER OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-21-15-253-0010; 38-43-44-21-15-253-0020; 38-43-44-21-15-253-0032; 38-43-44-21-15-253-0040; 38-43-44-21-15-253-0060; AND 38-43-44-21-15-253-0110) LOCATED ALONG THE NORTH AND SOUTH LINES OF THE RIGHT-OF-WAY.

Section 3. A public hearing is to be held at 6:00pm on October 3, 2023, or as soon thereafter as the matter can be heard, at City Hall, 7 North Dixie Highway, Lake Worth Beach, FL, to hear and consider comments, objections or protests by the public on the abandonment.

Section 4. This resolution shall become effective immediately upon its passage.

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 Christopher McVoy
- Commissioner Sarah Malega
- Commissioner Kimberly Stokes
- Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted this _____ day of _____, 2023.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Coyne, City Clerk