

RESOLUTION NO. 71-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER THE ABANDONMENT OF AN APPROXIMATELY 40 FOOT WIDE RIGHT-OF-WAY LOCATED BETWEEN 827 SOUTH FEDERAL HIGHWAY AND 901 SOUTH FEDERAL HIGHWAY AND REVERTING BACK TO THE PROPERTY OWNERS OF SAID ABUTTING PROPERTIES (PCN: 38-43-44-27-01-021-0160 AND 38-43-44-27-01-030-0090) AS DESCRIBED HEREIN; SETTING A PUBLIC HEARING TO HEAR AND CONSIDER PUBLIC COMMENTS TO THE PROPOSED ABANDONMENT; PROVIDING AN EFFECTIVE DATE

WHEREAS, Cotleur & Hearing, a land development firm, on behalf of The Lord's Place, Inc., has requested the right-of-way abandonment in conjunction with the construction of a 7-unit multi-family project proposed on west side of South Federal Highway utilizing the parcel located at 827 South Federal Highway and the adjacent parcel to the north (this project is commonly referred to as "Burckle Place III"); and

WHEREAS, the abutting property owners are The Lord's Place, Inc. (PCN: 38-43-44-27-01-021-0160) hereinafter referred to as "827 S Federal Highway" and Ghodratollah Mahmoudi Revocable Trust, Mahmoudi Ghodratollah Trustee (PCN: 38-43-44-27-01-030-0090) hereinafter referred to as "901 S Federal Highway"; and

WHEREAS, the abutting property owners are The Lord's Place, Inc. (PCN: 38-43-44-27-01-021-0160) hereinafter referred to as "827 S Federal Highway" and Ghodratollah Mahmoudi Revocable Trust, Mahmoudi Ghodratollah Trustee (PCN: 38-43-44-27-01-030-0090) hereinafter referred to as "901 S Federal Highway"; and

WHEREAS, the abutting property owners have each stated their desire to accept the return of half (+/- 20 feet wide) of the approximately +/-137 feet in length by +/- 40 feet wide portion of the abandoned ROW adjacent to their property; and

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

WHEREAS, The Lord's Place, Inc. will prepare the required sketch and legal descriptions for each portion of the right-of-way subject to the proposed abandonment prior to the final approval by the City Commission; and

WHEREAS, the City Commission seeks to hear the proposed abandonment at a public hearing on November 2, 2021 and consider any public 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 abutting property owners as follows:

THE APPROXIMATELY A 40-FOOT-WIDE RIGHT-OF-WAY LOCATED BETWEEN LOT 16, BLOCK 21 AND LOTS 9 TO 12, BLOCK 30, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 4 ADDITION 1 TO THE TOWN OF LAKE WORTH, RECORDED IN PLAT BOOK 5, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND REVERTING BACK TO THE PROPERTY OWNERS OF SAID ABUTTING PROPERTIES PCN: 38-43-44-27-01-021-0160 AND 38-43-44-27-01-030-0090) LOCATED ALONG THE NORTH AND SOUTH LINES OF THE RIGHT-OF-WAY.

Section 3. A public hearing is to be held at 6:00 pm on November 2, 2021, 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 Herman Robinson
Commissioner Sarah Malega
Commissioner Christopher McVoy
Commissioner Kimberly Stokes

The Mayor thereupon declared this resolution duly passed and adopted this _____ day of _____, 2021.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk