

RESOLUTION NO. 49 -2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING A RELEASE OF EASEMENT LOCATED BETWEEN THE PROPERTIES AT 1 LAKE AVENUE AND 11 LAKE AVENUE, 12 S LAKESIDE DRIVE, AND 14 S LAKESIDE DRIVE; AND PROVIDING FOR RECORDING AND AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach (“City”) was granted a ten (10) foot wide easement running between and adjacent to the west side of the property located at 1 Lake Avenue and the east side of the property located at 11 Lake Avenue, 12 S. Lakeside Drive and 14 S. Lakeside Dr. in the City of Lake Worth Beach, (“the Easement”); and

WHEREAS, the current owners of the real property on both sides of the Easement are developing the property as what is commonly referred to as the Gulfstream Hotel Planned Development; and

WHEREAS, the current owners of the real property on both sides of the Easement, as part of the Gulfstream Hotel Urban Mixed Use Planned Development, have caused the drainage, utilities, and access provided though the Easement to be relocated, rendering the Easement no longer necessary; and

WHEREAS, the current owners of the Property have agreed to grant the City a temporary easement for drainage and utilities to accommodate the continued use and relocation of such facilities to be relocated to the new location provided in the plat; and

WHEREAS, the current owners of the Property shall, as part of the Gulfstream Hotel Consolidation Plat, grant the City new easements for drainage, utilities, and vehicular and pedestrian traffic as relocated through the Gulfstream Hotel Urban Mixed Use Planned Development; and

WHEREAS, the current owners of the Property have requested the City release the Easement; and

WHEREAS, pursuant to the Stipulation of Dismissal in Case No. 50-2021-ca-011313-xxxx-MB in the Circuit Court of the 15th Judicial Circuit, in and for Palm Beach County, Florida, the City Commission has considered this release of easement at a public hearing after providing 15 days’ prior written notice to property owners within 200 feet of the Easement; and

WHEREAS, the City has determined that releasing the Easement 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 the Resolution as true statements.

Section 2. The City Commission of the City of Lake Worth Beach, Florida, hereby approves the Release of Easement attached hereto as Exhibit "A", contingent on the approval of the Gulfstream Hotel Consolidation Plat and the approval of the temporary easement granted by the property owner.

Section 3. The City Clerk is hereby directed to cause the Release of Easement to be recorded in the Official Records in and for the County of Palm Beach, Florida, to evidence this release. This Release of Easement shall be recorded after the recording of the temporary easement granted by the property owner.

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 on the ____ day of _____, 2023.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

EXHIBIT "A"