

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2023-53

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA APPROVING THE TERMINATION AND RELEASE OF DECLARATION OF RESTRICTIVE COVENANT RELATED TO GROVES TOWN CENTER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2005, the prior owner of property within the Town that is now known as the Groves Town Center recorded a Declaration of Restrictive Covenants in favor of Palm Beach County for the preservation of 3.1 acres of native vegetation (“Declaration”); and

WHEREAS, in 2021, the County transferred its interest in the Declaration to the Town; and

WHEREAS, the current owner of the property has created a conservation tract on the property and recorded a Restrictive Covenant and Limited Access and Conservation Easement consisting of approximately 23.169 acres restricting the use to conservation and equestrian trail uses (“Restrictive Covenant”); and

WHEREAS, the owner of the property has requested the Town terminate and release the Declaration of Restrictive Covenant recorded in 2005 pursuant to the terms therein as the Restrictive Covenant satisfies the intended purpose of setting aside 3.1 acres of native vegetation; and

WHEREAS, the Town has determined the termination and release of the Declaration of Restrictive Covenants serves a public purpose.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted as if fully set forth herein.

Section 2. The Town Council of the Town of Loxahatchee Groves, Florida hereby approves and authorizes the Mayor to execute the Termination and Release of Declaration of Restrictive Covenant.

Section 3. This Resolution shall take effect immediately upon adoption.

Councilmember _____ offered the foregoing resolution. Councilmember _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Laura Danowski, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Shorr, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Herzog, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marianne Miles, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillis Maniglia, COUNCILMEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES,
FLORIDA, THIS-__ DAY OF _____, 2023.**

**TOWN OF LOXAHATCHEE GROVES
FLORIDA**

ATTEST:

Mayor Laura Danowski

Lakisha Burch, Town Clerk

Vice Mayor Robert Shorr

APPROVED AS TO LEGAL FORM:

Councilmember Margaret Herzog

Councilmember Marianne Miles

Office of the Town Attorney

Councilmember Phillis Maniglia