

RESOLUTION 2021-28

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, HEREBY APPROVES A REPLAT OF TRACT "S", A PORTION OF OPEN SPACE TRACT #11, OPEN SPACE TRACT # 12 AND WATER MANAGEMENT TRACT #9, ORCHARDS OF WESTLAKE - PHASE I, PLAT BOOK 131, PAGES 192 THROUGH 210, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITHIN SECTIONS 5, 6, 7 AND 8, ALL IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA., PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for Orchards of Westlake Phase II plat and boundary survey, being a Replat of Tract "S", A Portion Of Open Space Tract #11, Open Space Tract # 12 And Water Management Tract #9, Orchards Of Westlake - Phase I, Plat Book 131, Pages 192 Through 210, Inclusive, Of The Public Records Of Palm Beach County, Florida, Within Sections 5, 6, 7 And 8, All In Township 43 South, Range 41 East, City Of Westlake, Palm Beach County, Florida; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the replat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat, attached hereto as "Exhibit B", and the boundary survey, attached hereto as "Exhibit C", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City's land development regulations and Florida law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1: **Incorporation:** The above recitals are true and correct and are incorporated herein by this reference.

Section 2: **City Council Approval:** The City Council for the City of Westlake hereby approves the replat, and boundary survey, for the Orchards of Westlake Phase II as described in the attached composit Exhibit "A", which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3: **Recordation:** The applicant shall provide a certified copy of the recorded replat and the applicant shall cover the costs of recording the replat in the public records in and for Palm Beach County Florida.

Section 4: **Scrivener's Errors:** The City of Westlake intends that the Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5. Conflicts: All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6. Severability: If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

Section 7: **Effective Date:** This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this _____ day of _____, 2021.

PUBLISHED on this _____ day of _____ 2021 in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk