

February 7,
2023

RESOLUTION 2023-05

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING PERSIMMON BOULEVARD EAST – PLAT 5, BEING A PORTION OF SECTIONS 7 AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA. PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, KH Westlake, LLC, a Florida Limited Liability Company, as the Owner has requested approval for Persimmon Boulevard East – Plat 5, Being a Portion of Sections 7 and 8, Township 43 South, Range 41 East, City of Westlake, Palm Beach County, FL, containing approximately 12.526 acres as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat 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 final plat, “Exhibit B” and boundary survey, “Exhibit C” for Persimmon Boulevard East – Plat 5, as described in the attached Exhibit "A", containing approximately 12.526 acres, 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 plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.
- Section 4: **SCRIVENER'S ERRORS.** This 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: **EFFECTIVE DATE.** This resolution shall take effect immediately upon its adoption.

Section 6: **CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: **SEVERABILITY.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

PASSED AND APPROVED by City Council for the City of Westlake, on this ____ day of _____, 2022.

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

City of Westlake
JohnPaul O’ Connor, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
_____, City Attorney
(PRINT NAME)