

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2008-008

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUPPORTING THE PERMANENT REMOVAL OF THE E-ROAD, 140TH AVENUE THOROUGHFARE FROM THE PALM BEACH COUNTY THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP; FINDING THAT THE USE OF PUBLIC FUNDS TO COMMUNICATE THE TOWN COUNCIL'S SUPPORT FOR THE REMOVAL OF E ROAD/140TH AVENUE FROM THE PALM BEACH COUNTY THOROUGHFARE MAP SERVES A PUBLIC AND MUNICIPAL PURPOSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Loxahatchee Groves (hereinafter referred to as the "Town") is a recently-incorporated contiguous rural community in Palm Beach County experiencing a negative impact from the urbanization of certain surrounding areas; and

WHEREAS, Palm Beach County's Future 2020 Roadway System by Number of Lanes Map and the Thoroughfare Right of Way Identification Map ("TIM") currently depicts 140th Avenue and E Road as a potential north-south corridor that would link with E Road in the Town; and

WHEREAS, the configuration of the proposed E Road/140th Avenue North roadway would traverse through the Town of Loxahatchee Groves in such a manner that would result in negative impacts to property owners, residents, and business owners within the Town; and

WHEREAS, the construction of the E Road/140th Avenue roadway through the Town is not consistent with the Town's rural character; and

WHEREAS, the Town is currently proceeding through its strategic visioning and comprehensive planning process, and as part of that process would request that the County Commission remove E Road/140th Avenue roadway from the County's TIM;

WHEREAS, the Palm Beach County Commission is currently considering the removal of the E Road/140th Avenue roadway from the TIM, and Palm Beach County Planning Commission has supported the removal the entire length of E Road/140th Avenue roadway from the TIM; and

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2008-008

WHEREAS, on April 3, 2007, the Town Council adopted Resolution No. 2007-002 in which the Town stated its support for the removal of E Road/140th from the TIM; and

WHEREAS, the Town Council agrees with Palm Beach County Planning Commission's recommendation with respect to the removal of E Road/140th Avenue from the TIM, and deems it to be in the best interests of the citizens and residents of the Town to remove the E Road/140th Avenue thoroughfare from the Palm Beach County Thoroughfare Right-of-Way Identification Map; and

WHEREAS, the Town Council, in an effort to communicate the position of the Town Council with respect to this matter finds it to be a matter of public importance to the Town of Loxahatchee Groves, and finds that the expenditure of public funds to advertise its position regarding this matter serves a public and municipal purpose.

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

SECTION 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council.

SECTION 2. The Town Council of the Town of Loxahatchee Groves, Florida hereby recommends and supports the permanent removal of the E-Road, 140th Avenue thoroughfare from the Palm Beach County Thoroughfare Right-of-Way Identification Map.

SECTION 3. The Town Council of the Town of Loxahatchee Groves finds that the removal of that portion of E Road/140th Avenue from the County's Thoroughfare Right-of-Way Identification Map is a matter of public importance, and finds that the use of Town funds for the purpose of advertising its position with respect to this matter serves a public and municipal purpose.

SECTION 4. The Town Clerk is directed to forward a copy of this Resolution to the Chair of the Palm Beach County Board of County Commissioners, each County Commissioner, the County Administrator, the Director of Palm Beach County Planning, Building and Zoning, the Executive Director of the Palm Beach County League of Cities, and the Board of Supervisors of the Loxahatchee Groves Water Control District.

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

SECTION 6. 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

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2008-008

part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

SECTION 7. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 1st day of April, 2008.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Matthew Dignas
TOWN CLERK

David Browning
Mayor David Browning

Marge Herzog
Vice Mayor Marge Herzog

APPROVED AS TO LEGAL FORM:

DNT
Office of the Town Attorney

[Signature]
Council Member

[Signature]
Council Member

[Signature]
Council Member

SSG:DNT:dnt

H:\2007\070240.LOX\RESO 2008\Reso 2008-008 (E-Road 140th).doc