

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2012-17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE SIMON TRUST BOUNDARY PLAT, FOR LAND OWNED BY TRUST "A" U/W/O/ ALEXANDER ABRAHAM SIMON (AS TO 75% OF THE PROPERTY) AND TRUST "B" U/W/O ALEXANDER ABRAHAM SIMON (AS TO 25% OF THE PROPERTY), CONSISTING OF 96.73 ACRES MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF SOUTHERN BOULEVARD AND B ROAD, LOXAHATCHEE GROVES, FLORIDA, LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council, as the governing body of the Town of Loxahatchee Groves, Florida pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to plat approval; and

WHEREAS, Chapter 177, Florida Statutes, requires approval of a plat by the municipality in which it is located; and,

WHEREAS, the notice and hearing requirements for plat approval have been satisfied; and

WHEREAS, the Simon Trust Boundary Plat was presented to the Town Council at a public, quasi-judicial hearing conducted on October 2, 2012; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the applicant and other interested parties, the comments by the Town Development Review Committee (DRC), and the recommendation of Town staff; and

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the Town of Loxahatchee Groves Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Loxahatchee Groves as follows:

Section 1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

Section 2. The Town Council of the Town of Loxahatchee Groves hereby approves the Simon Trust Boundary Plat, the property so platted consisting of 96.73 acres more or less and being legally described as set forth in Exhibit "A" attached hereto, the property being generally located on the northwest corner of Southern Boulevard and "B" Road, subject to any conditions listed in Exhibit "A".

Section 3. If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered eliminated and so not affecting the validity of the remaining portion or applications remaining in full force and effect.

Section 4. All resolutions or parts of resolutions, in conflict herewith are to the extent of such conflicts hereby repealed.

Section 5. This Resolution shall take effect upon approval.

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 2nd day of October, 2012.

ATTEST:



TOWN CLERK

APPROVED AS TO LEGAL FORM:



Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA


Mayor David Browning
Vice Mayor Jim Rockett
Council Member Jarriel
Council Member Liang
Council Member Goltzene

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

LOTS 1 AND 3, BLOCK 1, LYING NORTH OF STATE ROAD 80 (SOUTHERN BOULEVARD), LOXAHATCHEE GROVES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 29, LESS AND EXCEPT THAT PORTION FOR STATE ROAD 80 AS DESCRIBED IN ORDER OF TAKING, RECORDED IN OFFICIAL RECORD BOOK 5463, PAGE 1126, AND THAT RIGHT-OF-WAY DEED RECORDED IN DEED BOOK 1005, PAGE 575, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

AND

LOT 2, BLOCK 1, LYING NORTH OF STATE ROAD 80 (SOUTHERN BOULEVARD), LOXAHATCHEE DISTRICT, RECORDED IN PLAT BOOK 7, PAGE 81, LESS AND EXCEPT THAT PORTION OF STATE ROAD 80 AS DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 5463, PAGE 1126 AND THAT RIGHT-OF-WAY DEED RECORDED IN DEED BOOK 1005, PAGE 575, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL CONTROL NUMBERS:

41-41-43-17-01-801-0010
41-41-43-17-01-802-0010
41-41-43-17-01-802-0020
41-41-43-17-01-803-0010