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ORDINANCE NO. 18-

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AUTHORIZING ABANDONMENT OF THE UNIMPROVED 15-FOOT WIDE ALLEY RUNNING EAST/WEST FROM SEACREST BOULEVARD TO NE 1ST STREET BETWEEN NE 4TH AVENUE AND NE 5TH AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO STAFF COMMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DISCLAIMER, WHICH SHALL BE RECORDED WITH THIS ORDINANCE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boynton Beach Community Redevelopment Agency (CRA), as Applicant, is requesting to abandon the unimproved 15-foot wide alley right-of-way running east/west from Seacrest Boulevard to NE 1st Street between NE 4th Avenue and NE 5th Avenue, subject to staff comments; and

WHEREAS, comments have been solicited from the appropriate City Departments, and public hearings have been held before the City's Planning & Development Board, and the City Commission on the proposed abandonments; and

WHEREAS, staff has determined that the subject unimproved 15-foot wide alley right-of-way requested to be abandoned does not adversely impact traffic, or affect other adjacent property owners and therefore no longer serves a public purpose, and the City Commission adopts that finding.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA THAT:

Section 1. The foregoing Whereas clauses are true and correct and incorporated herein by this reference.

Section 2. The City Commission of the City of Boynton Beach, Florida, does hereby abandon the unimproved 15-foot wide alley right-of-way running east/west from Seacrest Boulevard to NE 1st Street between NE 4th Avenue and NE 5th Avenue, subject to staff comments. The property being abandoned is more particularly described as follows:

The north 7.5 feet of that 15 foot Alley lying between the north line of Block 3, as shown on the plat, SHEPARD ADDITION TO BOYNTON, according to the plat thereof, as recorded in Plat Book 2, Page 59, of the Public Records of Palm Beach County, Florida and the south line of Block 1, SUNNY-SIDE ESTATES, according to the plat thereof, as recorded in Plat Book 26, Page 16, of the Public Records of Palm Beach County, Florida, bounded as follows:

Bounded on the east by the southerly extension of the east line of Lot 8, BLOCK 1, of said SUNNY-SIDE ESTATES; bounded on the south by the centerline of said 15 foot Alley; bounded on the west by the east right-of-way of Seacrest Boulevard as laid out and currently in use; and

49 bounded on the north by the north line of said 15 foot Alley, also being the south line of said
50 Block 1, SUNNY-SIDE ESTATES.

51 TOGETHER WITH:

52 The south 7.5 feet of that 15 foot Alley lying between the north line of Block 3, as shown on the
53 plat, SHEPARD ADDITION TO BOYNTON, according to the plat thereof, as recorded in Plat
54 Book 2, Page 59, of the Public Records of Palm Beach County, Florida and the south line of Block
55 1, SUNNY-SIDE ESTATES, according to the plat thereof, as recorded in Plat Book 26, Page 16,
56 of the Public Records of Palm Beach County, Florida, bounded as follows:

57 Bounded on the east by the northerly extension of the east line of Lot 1, BLOCK 3, of said
58 SHEPARD ADDITION TO BOYNTON; bounded on the south by the south line of said 15 foot
59 Alley, also being the north line of Block 3 of said SHEPARD ADDITION TO BOYNTON;
60 bounded on the west by the east right-of-way of Seacrest Boulevard as laid out and currently in
61 use; and bounded on the north by the centerline of said 15 foot Alley.

62 Said lands situate and being in the City of Boynton Beach, Palm Beach County, Florida.

63

64 **Section 3.** The City Manager is hereby authorized and directed to execute the
65 attached Disclaimer and cause the same to be filed, with this Ordinance, in the Public
66 Records of Palm Beach County, Florida.

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68 **Section 4.** This Ordinance shall take effect immediately upon passage.

69

70 FIRST READING this ____ day of _____, 2018.

71

72 SECOND, FINAL READING AND PASSAGE this ____ day of
73 _____, 2018.

74

75 CITY OF BOYNTON BEACH, FLORIDA

76

YES NO

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78 Mayor – Steven B. Grant

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80 Vice Mayor – Christina L. Romelus

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82 Commissioner – Mack McCray

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84 Commissioner – Justin Katz

85

86 Commissioner – Joe Casello

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VOTE

90 ATTEST:

91

92

93 Judith A. Pyle, CMC

94 City Clerk

95

96 (Corporate Seal)

DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that The City Commission of the City of Boynton Beach, Florida, does hereby abandon the unimproved 15-foot wide alley right-of-way running east/west from Seacrest Boulevard to NE 1st Street between NE 4th Avenue and NE 5th Avenue, subject to staff comments. The property being abandoned is more particularly described as follows:

The north 7.5 feet of that 15 foot Alley lying between the north line of Block 3, as shown on the plat, SHEPARD ADDITION TO BOYNTON, according to the plat thereof, as recorded in Plat Book 2, Page 59, of the Public Records of Palm Beach County, Florida and the south line of Block 1, SUNNY-SIDE ESTATES, according to the plat thereof, as recorded in Plat Book 26, Page 16, of the Public Records of Palm Beach County, Florida, bounded as follows:

Bounded on the east by the southerly extension of the east line of Lot 8, BLOCK 1, of said SUNNY-SIDE ESTATES; bounded on the south by the centerline of said 15 foot Alley; bounded on the west by the east right-of-way of Seacrest Boulevard as laid out and currently in use; and bounded on the north by the north line of said 15 foot Alley, also being the south line of said Block 1, SUNNY-SIDE ESTATES.

TOGETHER WITH:

The south 7.5 feet of that 15 foot Alley lying between the north line of Block 3, as shown on the plat, SHEPARD ADDITION TO BOYNTON, according to the plat thereof, as recorded in Plat Book 2, Page 59, of the Public Records of Palm Beach County, Florida and the south line of Block 1, SUNNY-SIDE ESTATES, according to the plat thereof, as recorded in Plat Book 26, Page 16, of the Public Records of Palm Beach County, Florida, bounded as follows:

Bounded on the east by the northerly extension of the east line of Lot 1, BLOCK 3, of said SHEPARD ADDITION TO BOYNTON; bounded on the south by the south line of said 15 foot Alley, also being the north line of Block 3 of said SHEPARD ADDITION TO BOYNTON; bounded on the west by the east right-of-way of Seacrest Boulevard as laid out and currently in use; and bounded on the north by the centerline of said 15 foot Alley.

Said lands situate and being in the City of Boynton Beach, Palm Beach County, Florida.

IN WITNESS WHEREOF, the duly authorized officers of the City of Boynton Beach, Florida, have hereunto set their hands and affixed the seal of the City this ____ day of _____, 2018.

ATTEST:

CITY OF BOYNTON BEACH, FLORIDA

Judith A. Pyle, CMC
City Clerk

Lori LaVerriere, City Manager

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Lori LaVerriere and

Judith A. Pyle, CMC, City Manager and City Clerk respectively, of the City of Boynton Beach, Florida, known to me to be the persons described in and who executed the foregoing instrument, and acknowledged the execution thereof to be their free hand and deed as such officers, for the uses and purposes mentioned therein; that they affixed thereto the official seal of said corporation; and that said instrument is the act and deed of said corporation.

WITNESS my hand and official seal in the said State and County this _____ day of _____, 2018.

NOTARY PUBLIC, State of Florida
My Commission Expires: