

RESOLUTION NO. 050-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING AN EXISTING PUBLIC UTILITY EASEMENT WITHIN THE PROPERTY COMMONLY KNOWN AS 248 VIA MARILA, IN THE TOWN OF PALM BEACH, FLORIDA.

WHEREAS, the owner of the land hereinafter described is planning on further developing 248 Via Marila with improvements that could potentially traverse the existing public utility easement; and

WHEREAS, all utility providers of said easement have agreed to the abandonment of the existing public utility easement; and

WHEREAS, the Town Council of the Town of Palm Beach does hereby find and determine that the drainage utility easement located on 248 Via Marila as described in Exhibit A attached is no longer necessary, does not serve any public purpose, nor is it necessary for public use; and

WHEREAS, the owner is responsible for all fees related to implementing the vacating and abandoning of the existing utility easement including recording fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, Florida as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The easements described and illustrated on Exhibit A, sketch and legal description for 248 Via Marila, are hereby vacated and abandoned.

Section 3. The Town Clerk is hereby authorized to advertise and record this resolution pursuant to law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of April 2022.

Danielle H. Moore, Mayor

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Lewis S.W. Crampton, Town Council Member

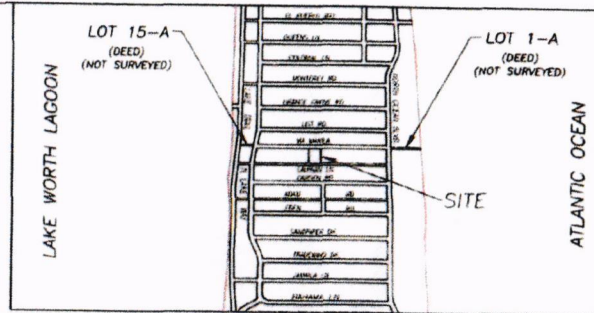
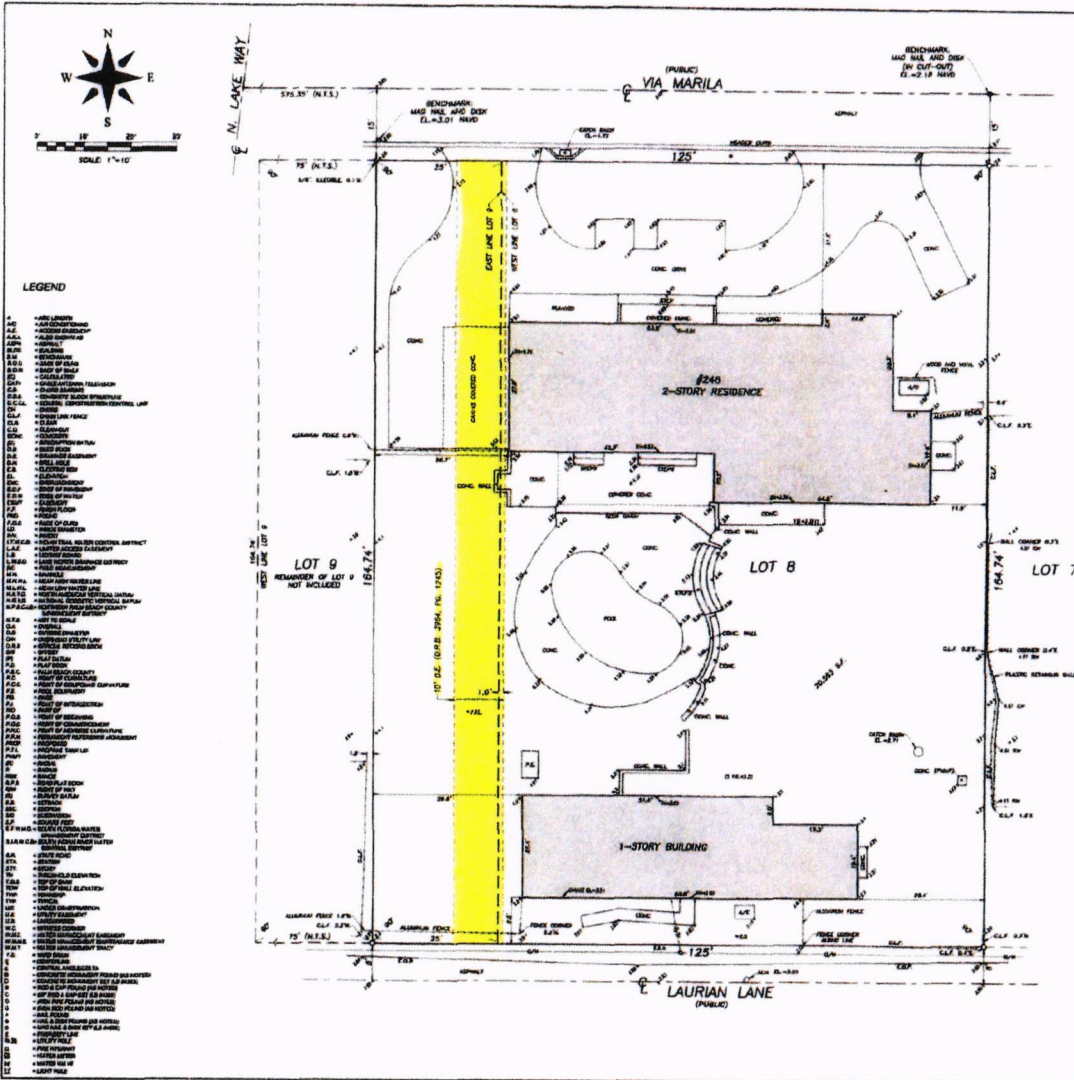
ATTEST:

Bobbie Lindsay, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Margaret A. Zeidman, Town Council Member

EXHIBIT A



**BOUNDARY SURVEY FOR:
248 VIA MARILA TRUST**

This survey is made exclusively and only for the following parties for the purpose of design on the surveyed property.
248 Via Marila Trust
City of Palm Beach, Florida

The undersigned surveyor assumes no responsibility or liability for any error or omission or to any other party other than the stated parties.

PROPERTY ADDRESS:
248 Via Marila
City of Palm Beach, Florida

LEGAL DESCRIPTION:
Lot 8 and the West 25 Feet of Lot 9, of PLAT OF COASTAL RESERVES, according to the Map or Plan hereon, as recorded in Plat Book 25, Page 27, of the Public Records of Palm Beach County, Florida. Together with an undivided interest in Lots 14 and 15.

FLOOD ZONE:
This property is located in Flood Zone AE (X, 1) according to F.I.M.A. Flood Insurance Rate Map No. 22000-C-0001, dated 10/20/2017.

- NOTES:**
- All site utility or easement affecting this or adjacent to the subject property has been provided. It is possible there are records that measurements, locations or connections, which could affect this survey and boundaries. The utility authority of the jurisdiction shown hereon is GSE for the land surface and utilities (above the 4:00 level) and FPL for the subsurface utilities. Electronic system features are U.S. survey but unless otherwise noted.
 - Obstructions (including but not limited to) that may be present on the site were surveyed and shown as they appeared on the day of the survey.
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**BOUNDARY SURVEY FOR:
248 VIA MARILA TRUST**

WALLACE SURVEYING
10000 S.W. 11th St., Suite 100, Boca Raton, FL 33433
Tel: 561-991-1233 Fax: 561-991-1234
www.wallacesurveying.com

DATE OF LAST FIELD SURVEY: 10/2017

DATE: 8/1/2018
TIME: 8:00 AM
INSTRUMENT: SOKKIA TOTAL STATION
OPERATOR: J. WALLACE
CHECKER: J. WALLACE
SCALE: 1" = 10'

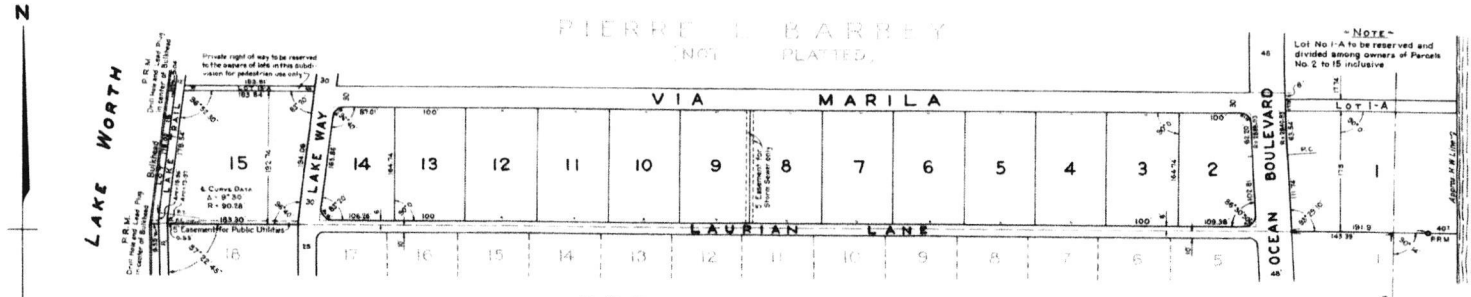
CERTIFICATION:
I HEREBY CERTIFY that the survey shown herein conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mapping, as required by Rule 1S-17, Florida Administrative Code pursuant to Section 472.02, F.S. for Florida, effective September 1, 1991.

DATE OF LAST FIELD SURVEY: 10/2017

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TIME: 8:00 AM
INSTRUMENT: SOKKIA TOTAL STATION
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STATE OF FLORIDA
COUNTY OF PALM BEACH
This Plat was filed for record on the 27th day of April, 1948, and duly recorded in Plat Book No. 2 of 20 pages.
J. ALLEN ARBETZ, Clerk, Circuit Court
By _____

PLAT OF
CORAL ESTATES
PALM BEACH, FLORIDA
IN SECTIONS 2 & 3, TWP. 43 S., RGE. 43 E.
PALM BEACH COUNTY, FLA.



PIERRE L. BARBEY
NOT PLATTED

EDEN PROPERTIES
P.B. 16, Pg. 49

Approved APR 16 A.D. 1948
Town of Palm Beach
By [Signature]
Town Manager

Approved APR 29 A.D. 1948
Board of County Commissioners
By [Signature]
County Engineer

STATE OF FLORIDA
COUNTY OF PALM BEACH
KNOW ALL MEN BY THESE PRESENTS, that UNION ESTATES, INC., a Corporation organized under the laws of the State of Connecticut, and duly authorized to transact business in the State of Florida, the Owner in fee simple of the tract of land in Government Lot 1, Section 2 and Government Lot 4, Section 3, Township 43 South, Range 43 East, Palm Beach County, Florida, shown on the attached plat as CORAL ESTATES and more particularly described as follows, to wit:
Beginning at a point in the east shore of Lake Worth in a line parallel to and 654.68 feet north of, measured at right angles to, the south line of said Section 3, said point of beginning being also in the north line of Eden Properties, according to plat thereof on file in Plat Book 18 at Page 48, Public Records of Palm Beach County, Florida; thence easterly along the north line of said Eden Properties and parallel to, and 654.68 feet north of, the south line of said Section 3, a distance of 194.4 feet more or less, to the waters of the Atlantic Ocean, thence northerly along the waters of the Atlantic Ocean, a distance of 192.74 feet, more or less, to a point in a line parallel to, and 847.42 feet north of, measured at right angles to, the south line of said Sections 3 and 2, being also the south line of land of Pierre L. Barbey, thence westerly along the south line of said Pierre L. Barbey, a distance of 393 feet, more or less, to a point in the east line of the right of way of the Ocean Boulevard, as now laid out and in use, thence northerly along the east line of said right of way of the Ocean Boulevard, a distance of 8 feet, more or less, to a point in a line parallel to, and 855.42 feet north of, measured at right angles to, the south line of said Sections 3 and 2, being also the south line of land of said Pierre L. Barbey, thence westerly along said line, parallel to, and 855.42 feet north of the south line of said Sections 3 and 2, being also the south line of land of said Pierre L. Barbey, a distance of 1561 feet, more or less, to the waters of Lake Worth, thence southerly along the waters of Lake Worth, a distance of 200.74 feet, more or less, to the point of beginning, together with all riparian and littoral rights thereunto belonging or in anywise appertaining, subject to any and all rights of the public in and to the Ocean Boulevard and Lake Trail, as now laid out and in use.

STATE OF CONNECTICUT
COUNTY OF FAIRFIELD
I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, M. SIMONS & RAY FRIEDMAN, President and Secretary, respectively, of UNION ESTATES, INC., a Corporation, to me well known and known to me to be the individuals described in, and who executed the foregoing dedication, and they acknowledged before me that they executed the same as such officers of said Corporation, by and with the authority of the Board of Directors of said Corporation for the purposes therein expressed, and that their act and deed was the act and deed of said Corporation.
WITNESS my hand and official seal of _____, County of _____, and State of Connecticut, this _____ day of _____, A.D. 1948

STATE OF FLORIDA
COUNTY OF PALM BEACH
I HEREBY CERTIFY that the plat shown hereon is a true and correct representation of a survey, made under my direction, of the foregoing described property and that said survey is accurate to the best of my knowledge and belief, and that permanent reference monuments (P.R.M.) have been placed as required by law.
[Signature]
Registered Land Surveyor
Florida Certificate No. 52

[Signature]
Notary Public

Subscribed and sworn to before me this _____ day of _____, A.D. 1948

[Signature]
Notary Public

My Commission expires April 1, 1948

My Commission expires: March 24, 1951

has caused the same to be surveyed and platted as shown hereon and does hereby dedicate to the perpetual use of the public as public highways, the Boulevard, Lane, Trail, Way and Easements as shown hereon, reserving, however, unto itself, its successors, assigns or legal representatives the reversion or reversions thereof whenever the same shall be abandoned by the public or discontinued by law.
IN WITNESS WHEREOF, it has caused these presents to be signed by its President and attested by its Secretary and its corporate seal to be affixed hereto by and with the authority of its Board of Directors this _____ day of _____, A.D. 1948.

Attest:
By [Signature]
Secretary

UNION ESTATES, INC.
By [Signature]
President



GEORGE S. BROCKWAY
REGISTERED ENGINEER & SURVEYOR
WEST PALM BEACH, FLORIDA
CORAL ESTATES
PALM BEACH, FLA.

FIELD B.L.D.	SCALE: 1" = 80'	Dwg. No.
OFFICE P.L.T.	OR BY J.J.F.	BF-1495
MA. 5-19 PG. 14	DATE: JANUARY, 1948	36 N. 47' 81"

CR-3964 p. 1246
4/10/1948
Resolution Numbering
This is not a certified copy