

## **RESOLUTION NO. 036-2023**

### **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 1287 NORTH OCEAN WAY, IN THE TOWN OF PALM BEACH, FLORIDA.**

WHEREAS, the owner of the land hereinafter described is planning on further developing 1287 North Ocean Way 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, all undergrounding in the area has been completed; and

WHEREAS, the Town Council of the Town of Palm Beach does hereby find and determine that the utility easement located on 1287 North Ocean Way 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 1287 North Ocean Way, 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 3<sup>rd</sup> day of April 2023.

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Danielle H. Moore, Mayor

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Julie Araskog, Town Council Member

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Edward A. Cooney, Town Council Member

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Lewis S.W. Crampton, Town Council Member

ATTEST:

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Bobbie Lindsay, Town Council Member

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Kelly Churney, Acting Town Clerk

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Margaret A. Zeidman, Town Council Member