

RESOLUTION NO. 2016-24

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, ABANDONING AND VACATING THE PUBLIC TRANSIT BUS SHELTER BOARDING AND ALIGHTING AREA EASEMENT LOCATED ON THE NORTH SIDE OF LAKE WORTH ROAD EAST OF SOUTH JOG ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 22987, PAGES 89 AND THROUGH 94 (SPECIFICALLY PAGE 93) OF THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, AS REQUESTED BY THE PLANNING AND ENGINEERING DEPARTMENT; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, two ten foot by thirty foot bus shelter easements were dedicated to the City of Greenacres on the Burger King site as recorded in Official Record Book 22987, Pages 89 through 94 of the Public Records of Palm Beach County, Florida; and

WHEREAS, the bus shelter easement on the north side of Lake Worth Road east of South Jog Road is not consistent with Palm Tran's bus stop location preferences and is overlapping with the road right-of-way; and

WHEREAS, Palm Beach County has asked that the easement along Lake Worth Road be abandoned so their road improvement project can proceed with unobstructed right-of-way; and

WHEREAS, the bus shelter easement on the east side of South Jog Road north of Lake Worth Road meets Palm Tran criteria and should be retained.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

Section 1. The bus shelter easement located on the north side of Lake Worth Road east of South Jog Road is hereby abandoned and vacated by the City of Greenacres. Said bus shelter is more particularly shown on Exhibit "A" attached hereto.

Section 2. Repeal of Conflicting Resolutions.

All Resolutions or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Resolution are hereby repealed.

Section 3. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Resolution is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Resolution and it shall be construed to have been the legislative intent to pass the Resolution without such unconstitutional, invalid or inoperative part therein, and the remainder of this Resolution after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Resolution or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date.

The provisions of this Resolution shall become effective five (5) days after it is adopted.

RESOLVED AND ADOPTED this 20th day of June, 2016.

Voted

Samuel J. Ferreri
Mayor

Jonathan G. Pearce
Deputy Mayor

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Attest:

Denise McGrew
City Clerk

Lisa Rivera
Councilwoman, District I

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Peter Noble
Councilman, District II

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Judith Dugo
Councilwoman, District III

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Paula Bousquet
Councilwoman, District V

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Approved as to Form and Legal Sufficiency:

James D. Stokes
City Attorney