

**RESOLUTION NO. 48-10-09**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO SIGN A LIMITATION OF USE AGREEMENT WITH PALM BEACH COUNTY THAT AGREES TO KEEP THE BOAT RAMP AT THE LAKE PARK HARBOR MARINA IN THE PUBLIC DOMAIN FOR A PERIOD NOT LESS THAN 25 YEARS IN RETURN FOR FUNDING TO PAY FOR EMERGENCY REPAIRS ON THE BOAT RAMP AT THE LAKE PARK HARBOR MARINA.**

**WHEREAS**, the Town of Lake Park ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town desires to maintain safe public facilities for the benefit of residents and visitors in the community; and

**WHEREAS**, the public boat ramp at the Lake Park Harbor Marina was noted by the Marine Engineer to be in an unsafe and unstable condition in need of emergency repair; and

**WHEREAS**, the Town of Lake Park Commissioners approved the emergency repairs at the regularly scheduled meeting on February 4, 2009; and

**WHEREAS**, the Palm Beach County Commission, through its Parks and Recreation Department has subsequently approved a grant of \$52,000 to cover the costs of necessary emergency repairs to the boat ramp at the Lake Park Harbor Marina; and

**WHEREAS**, the Town of Lake Park is willing to provide proper care and maintenance of the boat ramp funded through this grant program, as described in the grant application and subsequent grant agreement; and

**WHEREAS,** The Town Commission authorized and entered into a Grant Agreement with Palm Beach County Department of Parks and Recreation to pay for the emergency repairs on the boat ramp at the Lake Park Harbor Marina.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Commission of the Town of Lake Park, Florida:

**SECTION 1.** The Town Commission authorizes and directs the Mayor to sign the Limitation of Use document agreeing that the land will remain in the public domain for a period of not less than 25 years.

**SECTION 2.** The Town Commission authorizes and directs the Town Clerk to file the signed Limitation of Use document with the Palm Beach County Clerk of the Courts as an attachment to the property deed, stating that the land will remain in the public domain for a period of not less than 25 years.

**SECTION 3.** This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Vice-Mayor Carey, who moved its adoption. The motion was seconded by Commissioner Rumsey and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	—
VICE-MAYOR JEFF CAREY	<u>/</u>	—
COMMISSIONER ED DALY	<u>/</u>	—
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	—
COMMISSIONER KENDALL RUMSEY	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution NO. 48-10-09 duly passed and adopted this 7 day of October, 2009.

TOWN OF LAKE PARK, FLORIDA

BY: Desca Dubois  
DESCA DUBOIS  
MAYOR

ATTEST:

Vivian M. Lemley  
VIVIAN M. LEMLEY  
TOWN CLERK

(TOWN SEAL)  
TOWN OF LAKE PARK  
SEAL  
FLORIDA

Approved as to form and legal sufficiency:


BY: Thomas J. Baird  
THOMAS J. BAIRD  
TOWN ATTORNEY

**PALM BEACH COUNTY  
FLORIDA BOATING IMPROVEMENT PROGRAM  
NOTICE OF LIMITATION OF USE**

The Property identified in the attached Project Agreement (required for municipal projects) and/or boundary map (required for County and municipal projects) has been developed by the Town of Lake Park, Florida (Name of Municipality or Palm Beach County) with financial assistance provided by the Palm Beach County Florida Boating Improvement Program (FBIP) in accordance with Section 328.72(15), Florida Statutes, and Palm Beach County Resolution No. 99-77 as amended. Pursuant to requirements of said Resolution, a project funded in whole or in part by the FBIP funds shall be dedicated for a minimum period of twenty five (25) years, upon approval of the project by the Board of County Commissioners, as an outdoor recreation area and shall be administered and made available to all Palm Beach County residents on a non-discriminatory basis regardless of residency, race, color, religion, disability, age, sex, national origin, ancestry, marital status, or sexual orientation. This Notice of Limitation of Use is not intended to convey title to the public. Title to the Property shall remain vested in the Town of Lake Park, Florida (Name of Municipality or Palm Beach County).

I certify that copies of the Notice of Limitation of Use form, project boundary map and Project Agreement (if applicable) have been filed in the County Courthouse with the deed to the Property for which the following grant project is located:

Lake Park Harbor Marina Boat Ramp  
FBIP Project Name

  
\_\_\_\_\_  
Signature of Authorized Representative

Desca DuBois, Mayor  
Type or Print Name and Title

October 7, 2009  
Date