

RESOLUTION NO. 45- 12-14

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING THE PLAT OF THE CONGRESS BUSINESS PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Congress Avenue Properties LLC, a Florida limited liability company, is the fee simple owner (the “Owner”) of approximately 30.133 acres of undeveloped real property, the legal description of which is attached hereto, and incorporated herein as **Exhibit “A”** (the “subject property”); and

WHEREAS, the subject property is located on the southeast corner of Congress Avenue and Watertower Road within the C-2/PUD Zoning District in the Town of Lake Park, Florida (“Town”); and

WHEREAS, Gentile Glas Holloway O’Mahoney & Associates and Congress Development Corporation, as the authorized agents for the Owner (the “Applicant”), submitted an application to the Town requesting approval of the Plat of Congress Business Park (the Plat); and

WHEREAS, the Town’s Staff and Engineer, have reviewed the Plat and have determined that it meets the Town’s platting regulations and Florida State Statutes regarding plats; and

WHEREAS, in accordance with the Town’s platting regulations, the Owner is required to provide a cash surety to the Town for the construction of the improvements associated with the Plat;

WHEREAS, the Owner has provided the Town with a cash deposit in the amount of \$143,423.17 as surety for the landscaping improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

Section 1. The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby finds that the Plat is consistent with the Town’s Comprehensive Plan.

Section 3. The Town Commission hereby finds that the Congress Avenue Properties’ Plat complies with all of the Town platting regulations and Florida Statutes regarding plats and the subdivision of land.

Section 4. The Developer has submitted a cash deposit as surety in the amount of \$143,423.17 which is sufficient to guarantee of the construction of all improvements for the subject property, subject to the following conditions:

- (1) Upon completion of the required improvements, the landscape architect of record shall present to the community development director:
 - a. The architect's certificate of completion of required improvements.
Record drawings may be provided in digitized form acceptable to the town if approved by the community development director.
 - b. The architect's warranty on workmanship and materials.
- (2) After review and approval of the submittal, the community development director will authorize release of the cash deposit for completion of required improvements noted above. All additional agreements, guarantees or documents are subject to approval by the town attorney.


Section 5. This Resolution shall take effect upon adoption.

The foregoing Resolution was offered by Commissioner O'Rourke who moved its adoption. The motion was seconded by Commissioner Flaherty and upon being put to a roll call vote, the vote was as follows:

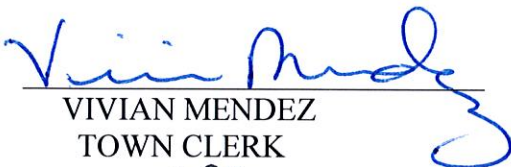
	AYE	NAY
MAYOR JAMES DUBOIS	<u> / </u>	<u> </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u> / </u>	<u> </u>
COMMISSIONER ERIN FLAHERTY	<u> / </u>	<u> </u>
COMMISSIONER MICHAEL O'ROURKE	<u> / </u>	<u> </u>
COMMISSIONER KATHLEEN RAPOZA	<u> / </u>	<u> </u>

The Town Commission thereupon declared the foregoing Resolution NO. 45-12-14 duly passed and adopted this 3 day of December, 2014.

TOWN OF LAKE PARK, FLORIDA

BY: 
JAMES DUBOIS
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

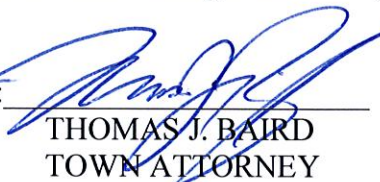
BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

Exhibit "A"

LEGAL DESCRIPTION *Dedications and Reservations*

DEDICATIONS AND RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP, OWNER OF THE LAND SHOWN HEREON AS CONGRESS BUSINESS PARK, A P.U.D. BEING A PORTION OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, TOWN OF LAKE PARK, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS:

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH 01° 21'11" WEST, A DISTANCE OF 80.01 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, SOUTH 01° 21'11" WEST, A DISTANCE OF 1755.32 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 25373, PAGE 1246, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE DEPARTING SAID EAST SECTION LINE, NORTH 87°18'48" WEST, ALONG THE NORTH LINE OF SAID PARCEL TO THE NORTHWEST CORNER THEREOF, SAID POINT LYING ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 314.11 FEET; THENCE NORTH 06°16'10" EAST, ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 24672, PAGE 1293, A DISTANCE OF 32.81 FEET; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL, NORTH 03° 36'05" WEST, A DISTANCE OF 181.35 FEET; THENCE SOUTH 83° 43'50" EAST, A DISTANCE OF 0.19 FEET; THENCE NORTH 03°36'05" WEST, A DISTANCE OF 130.35 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 805.00 FEET, A CHORD BEARING OF SOUTH 65°15'23" WEST AND A CENTRAL ANGLE OF 02°35'59"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 36.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 865.00 FEET AND A CENTRAL ANGLE OF 28°35'52"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 431.74 FEET TO A POINT OF TANGENCY; THENCE NORTH 87°26'44" WEST, A DISTANCE OF 64.40 FEET; THENCE SOUTH 49° 23'14" WEST, A DISTANCE OF 54.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CONGRESS AVENUE AS DESCRIBED IN OFFICIAL RECORD BOOK 10739, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 06°13'12" EAST, A DISTANCE OF 334.94 FEET; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 04°48'20" EAST, A DISTANCE OF 202.56 FEET; THENCE NORTH 06°13'12" EAST, A DISTANCE OF 585.93 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8430.00 FEET AND A CENTRAL ANGLE OF 00°18'53"; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE AND ARC OF SAID CURVE, A DISTANCE OF 46.31 FEET TO A POINT ON A NON-TANGENT LINE; THENCE NORTH 19°07'33" EAST, A DISTANCE OF 51.14 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 8419.00 FEET AND A CHORD BEARING OF NORTH 07°56'42" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°08'28", A DISTANCE OF 314.61 FEET TO A POINT ON A NON-TANGENT LINE AND A POINT ON AFORESAID SOUTH RIGHT OF WAY LINE OF WATER TOWER ROAD; THENCE NORTH 50°32'44" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 53.17 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 87°55'28" EAST, A DISTANCE OF 705.69 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 1,312,601 SQUARE FEET OR 30.133 ACRES MORE OR LESS

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

1.1 TRACTS "A", "B", "F", "G" AND "H" (DEVELOPMENT TRACTS), ARE HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP FOR FUTURE DEVELOPMENT PURPOSES AND SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF CONGRESS AVENUE PROPERTIES, LTD., ITS SUCCESSORS AND ASSIGNS WITHOUT RECOURSE TO THE TOWN OF LAKE PARK.

2.1 TRACT "C" (RIGHT-OF-WAY), AS SHOWN HEREON, IS HEREBY RESERVED BY CONGRESS AVENUE PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP FOR FUTURE ROAD PURPOSES.

3.1 TRACTS "D" AND "E" (WATER MANAGEMENT TRACTS), AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CONGRESS BUSINESS PARK ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK.

4.1 THE LAKE MAINTENANCE EASEMENTS, AS SHOWN HEREON ARE HEREBY DEDICATED TO THE CONGRESS BUSINESS PARK ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACTS FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK.

5.1 THE UTILITY EASEMENTS, AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF CABLE TELEVISION SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.

6.1 THE SEACOAST UTILITY AUTHORITY (S.U.A.) EASEMENTS, AS SHOWN HEREON ARE HEREBY DEDICATED TO SEACOAST UTILITY AUTHORITY, ITS SUCCESSORS AND ASSIGNS, FOR INSTALLATION, OPERATION AND MAINTENANCE OF PUBLIC WATER AND SEWER FACILITIES, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK.

7.1 THE DRAINAGE EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CONGRESS BUSINESS PARK ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES, AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT NOR THE TOWN OF LAKE PARK.

THE TOWN OF LAKE PARK SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL DRAINAGE EASEMENTS.

8.1 THE 30 FOOT ACCESS EASEMENT, AS SHOWN HEREON, IS HEREBY DEDICATED TO THE CONGRESS BUSINESS PARK ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC INGRESS AND EGRESS, UTILITY AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE TOWN OF LAKE PARK.