

RESOLUTION NO. 50-12-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A REPLAT OF THE STEWART TOYOTA PLAT, AS RECORDED IN PLAT BOOK 100, PAGES 148 AND 149; PROVIDING FOR A REPLAT OF PORTIONS OF LOTS 1 THROUGH 11, BLOCK 121, AND ALL OF LOTS 12 THROUGH 22, BLOCK 121; PROVIDING FOR A REPLAT OF A PORTION OF AVENUE J (NOW KNOWN AS EAST JASMINE DRIVE), AS SHOWN ON THE PLAT OF KELSEY CITY, AS RECORDED IN PLAT BOOK 8, PAGES 15 AND 35; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Commercial Investments LLC and Earl Stewart LLC are the fee simple owners (the “Owner”) of three parcels of real property totaling approximately 313,065 square feet, and having the legal descriptions as set forth in Exhibit “A”, which is attached hereto, and incorporated herein (the “subject property”); and

WHEREAS, the subject property is located on the northeast corner of East Ilex Drive and North Federal Highway within a C-1/PUD Zoning District in the Town of Lake Park, Florida (“Town”); and

WHEREAS, Urban Design Kilday Studios, as the Owner’s authorized agent (the “Applicant”), has submitted an application to the Town requesting the approval of a replat of the Stewart Toyota Plat, to be entitled “Stewart Toyota, Plat No. 2”; and

WHEREAS, the Town Staff, and the Town’s consulting Engineer, have reviewed the Application, and have presented their respective recommendations to the Town Commission; and

WHEREAS, the Town Commission has conducted a hearing to consider the Application, and has considered whether the Application is consistent with the Town’s Comprehensive Plan; and

WHEREAS, the Town Commission has considered the evidence presented by Town Staff and the Engineer, the Applicant, the Owner, and other interested parties and members of the public,

as to whether the Application complies with the Town's Platting Regulations and the statutory regulations concerning plats; and

WHEREAS, the Town Commission has determined that the Application is consistent with the Town's Comprehensive Plan and that it complies with Town and state platting regulations.

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 Engineer has reviewed the Application and has determined that it complies with all of the Town and state regulations with respect to platting.

Section 3. The Applicant has complied with the Town's platting requirements by submitting a Cash Bond and Escrow Agreement in the amount of \$144,418.20 to guarantee the public infrastructure, curbing and site improvements related to the abandonment of the Jasmine right-of-way, water, sewer and drainage improvements, perimeter landscape buffers and irrigation for Phase 1 of the Earl Stewart Toyota Planned Unit Development.

Section 4. This Resolution shall take effect upon adoption.

The foregoing Resolution was offered by Commissioner Rapoza 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> | ___ |
| VICE-MAYOR KIMBERLY GLAS-CASTRO | <u>✓</u> | ___ |
| COMMISSIONER ERIN FLAHERTY | <u>✓</u> | ___ |
| COMMISSIONER MICHAEL O'ROURKE | <u>✓</u> | ___ |
| COMMISSIONER KATHLEEN RAPOZA | <u>✓</u> | ___ |

The Town Commission thereupon declared the foregoing Resolution NO. 50-12-15 duly passed and adopted this 16 day of December, 2015.

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

BEING A REPLAT OF STEWART TOYOTA, AS RECORDED IN PLAT BOOK 100, PAGES 148 AND 149, AND
A REPLAT OF PORTIONS OF LOTS 1 THROUGH 11, BLOCK 121, ALL OF LOTS 12 THROUGH 22, BLOCK 121,
AND A PORTION OF AVENUE J (NOW KNOWN AS JASMINE STREET), AS SHOWN ON KELSEY CITY, AS RECORDED
IN PLAT BOOK 8, PAGES 15 AND 35, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
LYING IN SECTION 21, TOWNSHIP 42 SOUTH, RANGE 43 EAST