

ORDINANCE NO. 14-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ABANDONING A THREE FOOT WIDE EASEMENT ALONG THE REAR LINE OF THE PROPERTY IN THE PINEWOOD SUBDIVISION, PLAT BOOK 5, PAGE 24, SAID EASEMENT MORE PARTICULARLY DESCRIBED IN THE WARRANTY DEED RECORDED AT OR BOOK 83, PAGES 442 TO 446,** PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; **ABANDONING AN ADDITIONAL THREE FEET WIDE EASEMENT COMMENCING AT THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE** AND AS MORE PARTICULARLY DEPICTED AND DESCRIBED IN THE EXHIBITS HERETO; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Warranty Deed recorded in Deed Book 83, Pages 442 to 446 recites and reserves a three foot (3') wide easement "along the rear line of said property" for any utility, being more particularly described for purposes of this ordinance as follows:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF THE PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 3.00 FEET OF LOTS 1 THROUGH 4 AND THE WEST 3.00 FEET OF LOTS 2A THROUGH 4A, BLOCK 29, TOGETHER WITH THE EAST 3.00 FEET OF LOTS 5 THROUGH 7, BLOCK 29, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 1 THROUGH 3 AND THE WESTERLY 3.00 FEET OF LOTS 1 A THROUGH 4A, BLOCK 28, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 22 THROUGH LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD.

And as further depicted on Exhibit "A", attached hereto; and

WHEREAS, said Warranty Deed further recites a reference to another easement, being more particularly described for purposes of this ordinance as follows:

TOGETHER WITH:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE AND THE WESTERLY LOT LINE OF LOT 22, BLOCK 28, SAID PLAT OF PINEWOOD; THENCE NORTH 20°07'34" EAST, ALONG SAID

WESTERLY LOT LINE OF LOT 22 AND ALONG THE WESTERLY LOT LINE OF LOTS 23 & 24, BLOCK 28, A DISTANCE OF 215.62 FEET; THENCE NORTH 39°35' 47" EAST, ALONG THE WESTERLY LOT LINE OF LOTS 25 THROUGH 28, BLOCK 28, A DISTANCE OF 268.22 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 39°35' 47" EAST, ALONG SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 46.27 FEET TO THE NORTHERLY MOST

CORNER OF SAID LOT 28; THENCE SOUTH 36'16'35" EAST, DEPARTING SAID WESTERLY LINE, ALONG THE EASTERLY LINE OF SAID LOT 28, A DISTANCE OF 3.09 FEET; THENCE SOUTH 39'35'47" WEST, DEPARTING SAID EASTERLY LINE, ALONG A LINE BEING PARALLEL WITH AND 3.00' SOUTHWESTERLY OF, AS MEASURED AT RIGHT

ANGLES TO, SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 45.51 FEET; THENCE NORTH 50'24'13" WEST, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

And as further depicted on Exhibit "B", attached hereto, and

WHEREAS, there currently exists some utility facilities within portions of the easements requested to be abandoned and said easement abandonments shall therefore be conditioned upon both relocation of said utilities and replacement easement(s) being granted and provided by the record property owner; and

WHEREAS upon such relocation and replacement there will exist no present of future need for the said current utility easements; and

WHEREAS, the record property owner of Parcel # 2415-601-0434-000-6, more particularly described as:

PINEWOOD S/D BLKS 28 AND 29 LOTS 1, 1A, 2, 2A, 3, 3A, 4, 4A, -LESS E 7 FTFOR US 1 R/W-AND LOT 22-LESS THAT PART OF LOT LYG S OF FOL DESC LI: BEG SW COR OF LOT RUN N 76 DEG 13 MIN E TO E LI OF LOT AND END OF SPEC DESC LI-AND ALL LOTS 23 TO 28 INCL AND SHERIDAN CIR-LESS E 7 FT FOR US 1 R/W AND LESS S 35 FT FOR OHIO AV- AND ALL BLK 29-LESS E 7 FT AND-LESS S 35 FT- (OR 479-1888)

has requested the abandonment of the above described three foot (3') wide utility easements and has agreed to the relocation and replacement of easements as required by the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;

SECTION 1. From and after the effective date herein, and conditioned upon the relocation and replacement of said easements as provided above, the utility easements hereinafter described shall be and the same hereby abandoned, to wit:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF THE PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 3.00 FEET OF LOTS 1 THROUGH 4 AND THE WEST 3.00 FEET OF LOTS 2A THROUGH 4A, BLOCK 29, TOGETHER WITH THE EAST 3.00 FEET OF LOTS 5 THROUGH 7, BLOCK 29, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 1 THROUGH 3 AND THE WESTERLY 3.00 FEET OF LOTS 1 A THROUGH 4A, BLOCK 28, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 22 THROUGH LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD.

As depicted in the attached Exhibit "A"

TOGETHER WITH:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF LOT 28, BLOCK 28, SAID PLAT OF PINWOOD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE AND THE WESTERLY LOT LINE OF LOT 22, BLOCK 28, SAID PLAT OF PINWOOD; THENCE NORTH 20'07'34" EAST, ALONG SAID

WESTERLY LOT LINE OF LOT 22 AND ALONG THE WESTERLY LOT LINE OF LOTS 23 & 24, BLOCK 28, A DISTANCE OF 215.62 FEET; THENCE NORTH 39'35'47" EAST, ALONG THE WESTERLY LOT LINE OF LOTS 25 THROUGH 28, BLOCK 28, A DISTANCE OF 268.22 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 39'35" 47" EAST, ALONG SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 46.27 FEET TO THE NORTHERLY MOST CORNER OF SAID LOT 28; THENCE SOUTH 36'16'35" EAST, DEPARTING SAID WESTERLY LINE, ALONG THE

EASTERLY LINE OF SAID LOT 28, A DISTANCE OF 3.09 FEET; THENCE SOUTH 39'35'47" WEST, DEPARTING SAID EASTERLY LINE, ALONG A LINE BEING PARALLEL WITH AND 3.00' SOUTHWESTERLY OF, AS MEASURED AT RIGHT

ANGLES TO, SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 45.51 FEET; THENCE NORTH 50'24'13" WEST, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

As depicted on Exhibit "B", attached hereto and incorporated herein.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be and become effective upon final passage.

APPROVED AS TO FORM
AND CORRECTNESS:

Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-009 was duly advertised by title only in the St. Lucie News Tribune on February 20, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 3, 2014; and was duly introduced, read by title only, and passed on second and final reading on March 17, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 17th day of March 2014.

Linda Hudson, Mayor Commissioner

ATTEST:

Linda W. Cox, City Clerk

(City Seal)