

ORDINANCE NO. 14-018

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ABANDONING A PORTION OF CITY RIGHT-OF-WAY KNOWN AS BOSTON AVENUE, LOCATED BETWEEN SOUTH INDIAN RIVER DRIVE AND THE INDIAN RIVER; PROVIDING FOR THE RESERVATION OF A FIFTEEN FOOT EASEMENT UNTO THE CITY OF FORT PIERCE, FLORIDA; FURTHER PROVIDING A REQUIREMENT FOR THE DEDICATION OF AN ADDITIONAL FIFTEEN FOOT EASEMENT UNTO THE CITY OF FORT PIERCE, FLORIDA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Commission of the City of Fort Pierce, has been requested to vacate and abandon a 25 foot right-of-way known as Boston Avenue, as identified in Plat Book 5, Page 32, Public Records of St. Lucie County, Florida; said right-of-way lying east of South Indian River Drive and west of the Indian River, north of Citrus Avenue; and

WHEREAS, the City of Fort Pierce has a certain right-of-way or thoroughfare as hereinafter described, which is not needed for roadway or thoroughfare purposes, therefore:

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

SECTION 1. That portion of right-of-way, more particularly described as follows, be and it is hereby vacated and abandoned as identified herein:

A PORTION OF CITY RIGHT-OF-WAY KNOWN AS BOSTON AVENUE, LOCATED BETWEEN SOUTH INDIAN RIVER DRIVE AND THE INDIAN RIVER, AS RECORDED IN PLAT BOOK 5, PAGE 32 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

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

SECTION 2. The City shall retain an easement over the eastern fifteen feet of the area to be abandoned for the benefit of the public prior to any abandonment of this right-of-way.

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

SECTION 3. The City shall receive the dedication of an easement over the eastern fifteen feet of two parcels of land, lying immediately to the north of said right-of-way to be abandoned, for the benefit of the public prior to any abandonment of this right-of-way, more particularly described as follows and identified herein:

A FIFTEEN (15) FOOT WIDE SIDEWALK EASEMENT LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA,

**BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF MARY ANN
SUBDIVISION AS RECORDED IN PLAT BOOK 7, PAGE 37, PUBLIC**

RECORDS OF ST.LUCIE COUNTY, FLORIDA, RUN NORTH 05°57'09" WEST (BASIS OF BEARINGS) ALONG THE EAST RIGHT OF WAY LINE OF INDIAN RIVER DRIVE, A 60 FOOT RIGHT OF WAY, A DISTANCE OF 177.04 FEET TO A FOUND 3/4" IRON PIPE AND THE NORTHWEST CORNER OF SAID MARY ANN SUBDIVISION AND THE SOUTH RIGHT OF WAY LINE OF MELODY LANE, A 25 FOOT RIGHT OF WAY; THENCE RUN NORTH 81°45'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 384.93 FEET TO THE POINT OF BEGINNING, THE WATERS EDGE OF THE INDIAN RIVER LAGOON AND THE EAST FACE OF A 1.00 FOOT WIDE SEAWALL; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 04°39'56" EAST ALONG SAID WATERS EDGE AND EAST FACE OF SEAWALL, A DISTANCE OF 258.56 FEET TO A POINT; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN NORTH 89°47'36" WEST, A DISTANCE OF 15.06 FEET; THENCE RUN NORTH 04°39'56" WEST, A DISTANCE OF 256.34 FEET TO THE AFORESAID SOUTH RIGHT OF WAY LINE OF MELODY LANE; THENCE RUN NORTH 81°45'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 15.03 FEET TO THE POINT OF BEGINNING.

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

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall be and become effective upon all conditions precedent being met.

APPROVED AS TO FORM & 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. 14-018 was duly advertised by title only in the St. Lucie News Tribune on June 27, 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 July 7th, 2014; and was duly introduced, read by title only, and passed on second and final reading on July 21st, 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 22nd day of July, 2014.

Linda Hudson,
Mayor Commissioner

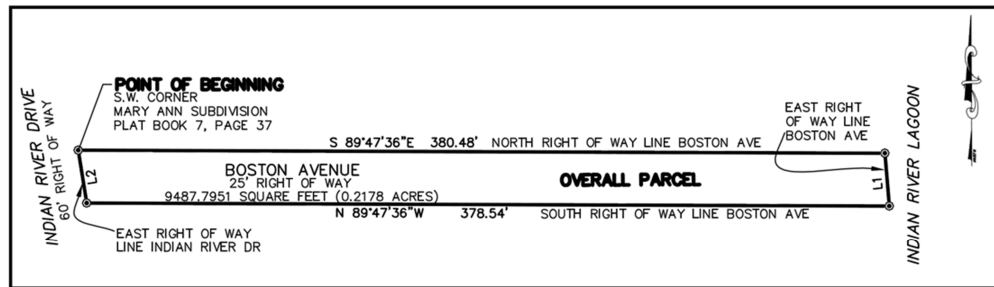
ATTEST:

Linda W. Cox,
City Clerk

(City Seal)

EXHIBIT A to ORDINANCE No. 14-018

Right-of-way for Abandonment



Legal Description:

A PORTION OF CITY RIGHT-OF-WAY KNOWN AS BOSTON AVENUE, LOCATED BETWEEN SOUTH INDIAN RIVER DRIVE AND THE INDIAN RIVER, AS RECORDED IN PLAT BOOK 5, PAGE 32 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, OR MORE PARTICULARLY DESCRIBED AS FOLLOWS:

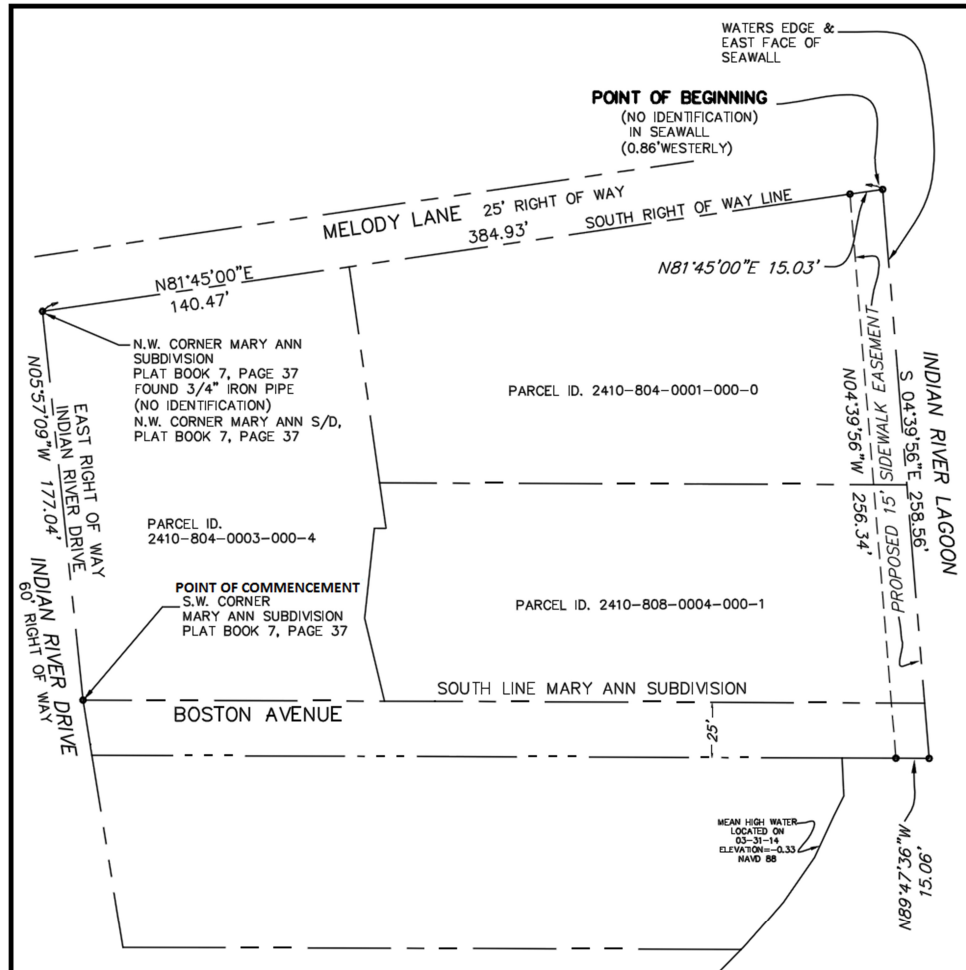
A PORTION OF BOSTON AVENUE LYING EASTERLY OF INDIAN RIVER DRIVE, SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF MARY ANN SUBDIVISION AS RECORDED IN PLAT BOOK 7, PAGE 37, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, THENCE RUN S 89°47'36"E (BASIS OF BEARINGS) ALONG THE SOUTH LINE OF SAID MARY ANN SUBDIVISION AND THE NORTH LINE OF SAID BOSTON AVENUE (25 FOOT RIGHT OF WAY), A DISTANCE OF 380.48 FEET MORE OR LESS TO THE EAST RIGHT OF BOSTON AVENUE; THENCE RUN S 0446'02"E ALONG SAID EAST RIGHT OF WAY OF BOSTON AVENUE, A DISTANCE OF 25.09 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID BOSTON AVENUE; THENCE LEAVING SAID EASTERLY LINE, RUN N 89°47'36"W ALONG THE SOUTH RIGHT OF WAY LINE OF SAID BOSTON AVENUE, A DISTANCE OF 378.54 FEET MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF INDIAN RIVER DRIVE (A 60 FOOT RIGHT OF WAY); THENCE LEAVING SAID SOUTH LINE OF BOSTON AVENUE, RUN N 09°08'15"W ALONG SAID RIGHT OF WAY LINE OF INDIAN RIVER DRIVE, A DISTANCE OF 25.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 0.22 ACRES MORE OR LESS.

EXHIBIT B to ORDINANCE No. 14-018

Retention and Dedication of a Fifteen Foot Wide Easement



Legal Description:

A FIFTEEN (15) FOOT WIDE SIDEWALK EASEMENT LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF MARY ANN SUBDIVISION AS RECORDED IN PLAT BOOK 7, PAGE 37, PUBLIC RECORDS OF ST.LUCIE COUNTY, FLORIDA, RUN NORTH 05°57'09" WEST (BASIS OF BEARINGS) ALONG THE EAST RIGHT OF WAY LINE OF INDIAN RIVER DRIVE, A 60 FOOT RIGHT OF WAY, A DISTANCE OF 177.04 FEET TO A FOUND 3/4" IRON PIPE AND THE NORTHWEST CORNER OF SAID MARY ANN SUBDIVISION AND THE SOUTH RIGHT OF WAY LINE OF MELODY LANE, A 25 FOOT RIGHT OF WAY; THENCE RUN NORTH 81°45'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 384.93 FEET TO THE POINT OF BEGINNING, THE WATERS EDGE OF THE INDIAN RIVER LAGOON AND THE EAST FACE OF A 1.00 FOOT WIDE SEAWALL; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 04°39'56" EAST ALONG SAID WATERS EDGE AND EAST FACE OF SEAWALL, A DISTANCE OF 258.56 FEET TO A POINT; THENCE LEAVING SAID WATERS EDGE AND EAST FACE OF SEAWALL, RUN NORTH 89°47'36" WEST, A DISTANCE OF 15.06 FEET; THENCE RUN NORTH 04°39'56" WEST, A DISTANCE OF 256.34 FEET TO THE AFORESAID SOUTH RIGHT OF WAY LINE OF MELODY LANE; THENCE RUN NORTH 81°45'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 15.03 FEET TO THE POINT OF BEGINNING.