

**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 UTILITY EASEMENT FOR ALL UTILITY PURPOSES 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 an unopened 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, but which is needed for the location and maintenance of any and all utilities by the City of Fort Pierce, both now existing and which may be installed in the future.

**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 and there is hereby saved and reserved unto the City of Fort Pierce, Florida, for the use and benefit of the Fort Pierce Utility Authority an easement for all utility purposes over the entire tract and lands 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 deed an easement over the entire area to be abandoned for the benefit of the Fort Pierce Utilities Authority (FPUA) prior to any abandonment of this alleyway.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall be and become effective upon all conditions precedent being met and the granting of utility easements for the benefit of the FPUA.

**APPROVED AS TO FORM & CORRECTNESS:**

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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 December, 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 , 2014; and was duly introduced, read by title only, and passed on second and final reading on , 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 <sup>st</sup> day of 2014.

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Linda Hudson,  
Mayor Commissioner

**ATTEST:**

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Linda W. Cox,  
City Clerk

**(City Seal)**