

ORDINANCE NO. 15-008

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ABANDONING A PORTION OF AN EXISTING 20 FOOT ALLEYWAY, LYING ADJACENT AND EASTERLY OF LOTS 17-24 AND THE SOUTH 50.2 FEET OF LOT 16, BLOCK 8, PINWOOD SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR THE IMPROVEMENT OF A CITY OWNED PUBLIC PARK; PROVIDING FOR THE ABANDONMENT TO BECOME EFFECTIVE UPON SATISFACTION OF CERTAIN CONDITIONS; PROVIDING FOR THE RESERVATION OF AN EASEMENT UNTO THE CITY OF FORT PIERCE, FLORIDA FOR THE PURPOSE OF UTILITIES; 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, pursuant the Charter and City Code of the City of Fort Pierce, has been requested to vacate and abandon a portion of an existing 20 foot alleyway, lying adjacent and easterly of lots 17-24 and the south 50.2 feet of Lot 16, Block 8, of Pinewood Subdivision within the City of Fort Pierce, Florida; and

WHEREAS, the City of Fort Pierce has a certain alleyway or thoroughfare as hereinafter described, which is not needed for alleyway 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; and

WHEREAS, the City of Fort Pierce, in consideration of future development proposed by Mosaics of America, Inc., d/b/a Artistry in Mosaics, and subject to the conditions precedent set out in this Ordinance as hereafter provided, has agreed to abandon the subject right-of-way upon the performance and happening of said conditions prior to said abandonment becoming effective.

NOW 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 is hereby vacated and abandoned, subject to the conditions set forth in this Ordinance, 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 AN EXISTING 20 FOOT ALLEYWAY, LYING ADJACENT AND EASTERLY OF LOTS 17-24 AND THE SOUTH 50.2 FEET OF LOT 16, BLOCK 8, PINWOOD SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA, AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

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

SECTION 2. Abandonment of said right-of-way shall be conditioned upon the

happening and fulfillment of the following conditions precedent:

1. The entry and execution of an approved Developer's Agreement between the City of Fort Pierce and Mosaics of America, Inc., providing for and addressing, among other matters:

a. The design, construction, and conveyance from Mosaics of America, Inc. a collection of public park improvements upon public lands identified herein:

BEING A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 23 THRU 26 INCLUDING THE VACATED 20.00 FOOT ALLEYWAY EAST OF SAID LOTS 23 AND 24, LESS THE NORTH 20.00 FEET OF LOTS 25 AND 26, AND LESS THE EAST 10.00 FEET OF THE PORTION OF THE 20.00 FOOT ALLEYWAY LYING WEST OF THE NORTH 20.00 FEET OF SAID LOT 25. ALL LYING AND BEING IN BLOCK 8 OF THE PINWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY. FLORIDA.

SAID PARCEL CONTAINING 28707 SQUARE FEET OR ACRES 0.659 MORE OR LESS.

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

2. Approval by the City of Fort Pierce of a Final Site Plan, and building permit issuance for construction, for the Artistry in Mosaics Expansion development (generally described as an office, showroom, and warehouse facilities for expanded business operations no later than twelve (12) months from the date of final passage of this Ordinance, upon lands identified herein:

THE NORTH 18.8' FT OF LOT 1 AND ALL OF LOTS 2 THRU 8, 19, 19A, 20, 21, & 22, INCLUDING THAT PORTION OF A 20 FT ALLEYWAY LYING WEST OF LOTS 1 THRU 4, ALONG WITH THE EAST 10FT OF SAID ALLEYWAY LYING WEST OF LOTS 5 THRU 8, FURTHER INCLUDING THE SOUTH 41.40 FEET OF LOT 1, PLUS THE NORTH 20.0 FEET OF LOTS 25 -26, ALL LOCATED WITH BLOCK 8. PLAT OF PINWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY. FLORIDA.

SAID SITE CONTAINING 2.405 ACRES MORE OR LESS.

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

SECTION 3. 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 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 and the granting of utility easements for the benefit of the FPUA.

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. 15- was duly advertised by title only in the St. Lucie News Tribune on , 2015; 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 , 2015; and was duly introduced, read by title only, and passed on second and final reading on, 2015, 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 day of, 2015.

Linda Hudson,
Mayor Commissioner

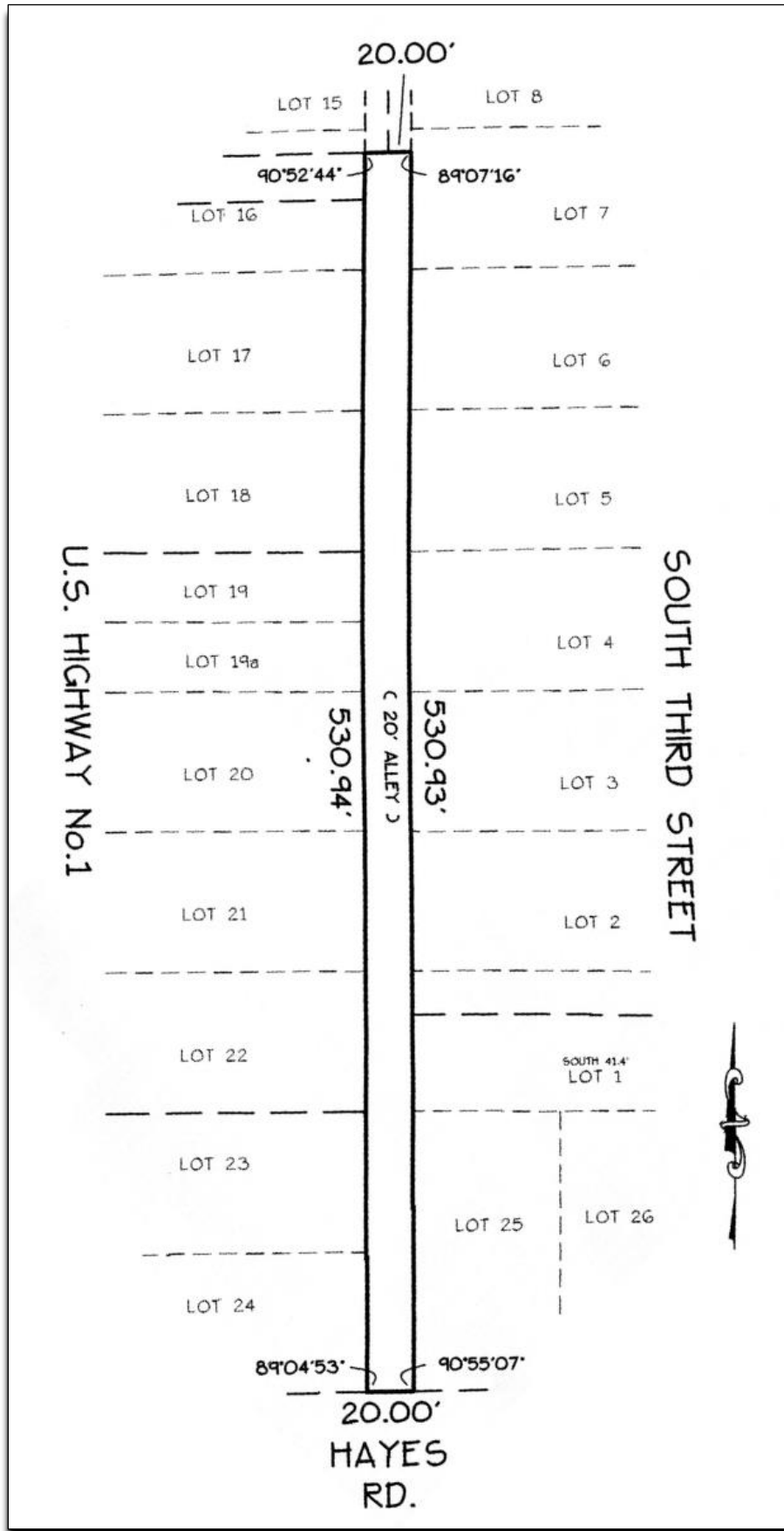
ATTEST:

Linda W. Cox,
City Clerk

(City Seal)

EXHIBIT A to ORDINANCE No. 15-008

Right-of-way for Abandonment



Legal Description:


A PORTION OF AN EXISTING 20 FOOT ALLEYWAY, LYING ADJACENT AND EASTERLY OF LOTS 17-24 AND THE SOUTH 50.2 FEET OF LOT 16, BLOCK 8, PINEWOOD SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA, AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SAID PARCEL CONTAINING 10,619.6 SQUARE FEET MORE OR LESS.

Location of Improvements - Memorial Park



THIS IS NOT A SURVEY

	<p>VERIFY SCALE BAR IS EQUAL TO ONE INCH ON ORIGINAL DRAWING</p> <p>ADJUST ALL SCALED DIMENSIONS ACCORDINGLY SCALE: 1"=60'</p>	<table border="1"> <tr> <th>DATE</th> <th>REVISION</th> <th>BY</th> <th>APPRO</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	REVISION	BY	APPRO					<p>SKETCH & DESCRIPTION</p> <p>MEMORIAL PARK</p>
	DATE	REVISION	BY	APPRO							
	<p>DESIGNED BY: [blank]</p> <p>DRAWING FILENAME: MEMORIAL PARK.DWG</p>	<p>SCALE: 1"=60'</p>	<p>SHEET TYPE: SKETCH</p>	<p>SHEET # 2 OF 2</p>							
<p>DRAWN BY: SC</p> <p>APPROVED: [blank]</p>	<p>DATE: JULY 9, 2015</p>										

Legal Description:

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LOTS 23 THRU 26 INCLUDING THE VACATED 20.00 FOOT ALLEYWAY EAST OF SAID LOTS 23 AND 24, LESS THE NORTH 20.00 FEET OF LOTS 25 AND 26, AND LESS THE EAST 10.00 FEET OF THE PORTION OF THE 20.00 FOOT ALLEYWAY LYING WEST OF THE NORTH 20.00 FEET OF SAID LOT 25. ALL LYING AND BEING IN BLOCK 8 OF THE PINWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY. FLORIDA.

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