

ORDINANCE NO. 16-024

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ABANDONING A PORTION OF AN EXISTING ALLEYWAY, LYING ADJACENT AND SOUTH OF LOTS 1-3, OF THE TOTTEN SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA**; PROVIDING FOR A SEVERABILITY CLAUSE; 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 alleyway, lying adjacent and south of lots 1-3 of the Totten 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, thoroughfare purposes, or for location and maintenance of any and all utilities by the City of Fort Pierce; and

WHEREAS, in consideration of the above, it is in the best interest of the general welfare of the City of Fort Pierce to vacate and abandon said alleyway;

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

SECTION 1. That the alleyway, more particularly described as follows, be and it is hereby vacated and abandoned upon payment of \$3,000.00 by the applicant, Steven Tarr:

A PORTION OF AN EXISTING ALLEYWAY, LYING ADJACENT AND SOUTH OF LOTS 1-3, OF THE TOTTEN SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA, AS RECORDED IN PLAT BOOK 5, PAGE 53 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT PERMANENT REFERENCE MONUMENT AND POINT OF COMMENCEMENT (p.o.c.); NORTHEAST CORNER OF LOT 5 AND THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF ORANGE AVENUE (50' WIDE RIGHT OF WAY) STATE ROAD 68 ALONG WITH THE WEST RIGHT OF WAY OF 7th STREET AS RECORDED IN PLAT BOOK 5, PAGE 53 OF THE CLERK OF COURTS IN SAINT LUCIE COUNTY, FLORIDA; THENCE S00° 24' 54"E A DISTANCE OF 185.01 FEET; THENCE N89° 54'54"W A DISTANCE OF 287.01 FEET TO THE POINT OF BEGINNING (p.o.b.); THENCE N00° 24'54"W A DISTANCE 75.00 FEET; THENCE S89° 54'34"E A DISTANCE OF 137.03 FEET; THENCE N00° 34'04"W A DISTANCE OF 10.01 FEET; THENCE S89° 54'54"E A DISTANCE OF 148.14 FEET MORE OR LESS; THENCE S00° 15'06"W A DISTANCE OF 85.00 FEET; THENCE S89° 54'54"E A DISTANCE OF 12.14 FEET MORE OR LESS; TO A POINT OF BEGINNING (p.o.b.), SAID PARCEL CONTAINING 2241.81 SQUARE FEET MORE OR LESS.

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

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall no further force of effect whatsoever.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

James M. Messer, 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. 16-024 was duly advertised by title only in the St. Lucie News Tribune on October 6, 2016; 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 October 17, 2016; and was duly introduced, read by title only, and passed on second and final reading on November 7, 2016, 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 7th day of November, 2016.

Linda Hudson,
Mayor Commissioner

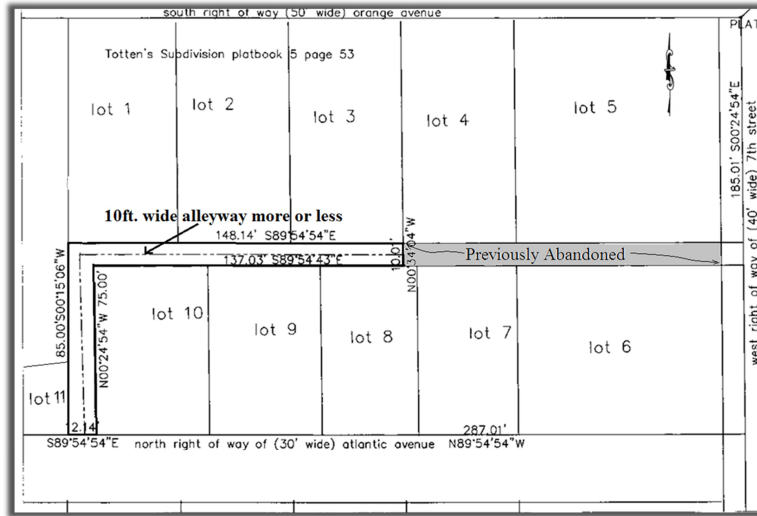
ATTEST:

Linda W. Cox,
City Clerk

(City Seal)

Exhibit A

Right-of-way for Abandonment



Legal Description:

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SAID PARCEL CONTAINING 2241.81 SQUARE FEET MORE OR LESS.