

**CITY OF POMPANO BEACH  
Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 30-FOOT-WIDE UTILITY EASEMENT LOCATED ON THE WEST SIDE OF NORTH ANDREWS AVENUE, IN THE BLOCK BETWEEN NW 22ND STREET AND NW 18TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; and

**WHEREAS**, the City Commission has received a request for the abandonment of a 15-foot portion of a 30-foot-wide utility easement located on the west side of North Andrews Avenue, in the block between NW 22nd Street and NW 19th Street; and

**WHEREAS**, the applicant for abandonment will file a declaration of restrictive covenants in the Public Records of Broward County with provisions that run with the land, to require all such actions to ensure continuity and adequacy of utility service to the subject property and to another adjacent property currently receiving utility service through the abandoned portion of the utility easement.

**WHEREAS**, the Planning and Zoning Board has made its recommendation upon said request; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** It is hereby found and determined by the City Commission that the public health, welfare, safety and necessity no longer require retention of any interest by the public in the portion of that certain utility easement as more fully described below.

**SECTION 2.** It is hereby further found and determined that abandonment and vacation of that certain utility easement will not have a detrimental effect upon the surrounding property or area, and that proper measures will be taken by the applicant for the abandonment to ensure the continuity and adequacy of utility service to the subject property and to another adjacent property currently receiving utility service through the abandoned portion of the utility easement.

**SECTION 3.** That the City of Pompano Beach does hereby abandon and vacate the following described utility easement:

**See Exhibit “A” attached hereto and incorporated herein as if set forth in full.**

**SECTION 4.** That the City Clerk is hereby instructed to record this Ordinance in the Public Records of Broward County, Florida.

**SECTION 5.** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 6.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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**REX HARDIN, MAYOR**

**ATTEST:**

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**KERVIN ALFRED, CITY CLERK**

MEB/mcm  
7/17/24  
L:ord/2024-215