

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

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TEN-FOOT WIDE UTILITY EASEMENT LYING ON THE EAST SIDE OF NW 31<sup>ST</sup> AVENUE APPROXIMATELY 350 FEET SOUTH OF DR. MARTIN LUTHER KING, JR. BLVD. WITHIN PROPERTY LOCATED AT 1350 NW 31<sup>ST</sup> AVENUE; 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 ten-foot wide utility easement lying on the east side of NW 31<sup>st</sup> Avenue approximately 350 feet south of Dr. Martin Luther King, Jr. Blvd., within property located at 1350 NW 31<sup>st</sup> Avenue; and

**WHEREAS**, the Planning and Zoning Board made a recommendation to approve the request; now, therefore,

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

**SECTION 1.** The City Commission finds and determines that the public health, welfare, safety and necessity no longer requires retention of any interest by the public in the utility easement, specifically described in Exhibit "A," attached and incorporated in this Ordinance as if set forth in full.

**SECTION 2.** The City Commission further finds and determines that abandonment and vacation of the utility easement will not have a detrimental effect upon the surrounding property or area.

**SECTION 3.** The City of Pompano Beach abandons and vacates the utility easement described in Exhibit "A."

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

**SECTION 5.** If any provision of this Ordinance or its application 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 \_\_\_\_\_, 2020.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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**REX HARDIN, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

/jrm  
2/26/2020  
l:ord/2020-117