

**ORDINANCE NO. 2021-\_\_\_\_\_**

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

**AN ORDINANCE OF THE CITY COMMISSION OF THE  
CITY OF POMPANO BEACH, FLORIDA, AMENDING  
ORDINANCE NO. 90-22 TO MODIFY EXHIBIT “C,” LEGAL  
DESCRIPTION, PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance No. 90-22 was approved on January 16, 1990, by the City Commission for the abandonment of certain rights-of-way and utility easements in the vicinity of Wade Horn Park now known as McNair Park; and

**WHEREAS**, the City of Pompano Beach is redeveloping McNair Park located at 951 NW 27<sup>th</sup> Avenue, Folio No. 4842 33 05 3200. During Planning and Zoning’s site plan review they found an area of right-of-way that had been abandoned/vacated several years ago and which is still indicated as right-of-way on the Broward County Property Appraiser’s web site.

**WHEREAS**, the city’s Right-of-Way Map 91, which includes McNair Park, shows the right-of-way for NW 11<sup>th</sup> Street at the north edge of the park was vacated via Ordinance No. 90-22. The Broward County Property Appraiser’s Office has advised that the legal description in Exhibit “C” of Ordinance No. 90-22 for the abandonment of right-of-way for NW 11<sup>th</sup> Street does not match what is shown as vacated on Right-of-Way Map 91; and

**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

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

**SECTION 1.** That the City of Pompano Beach approves and accepts the modified Exhibit “C,” to Ordinance No. 90-22, a copy of which Legal Description is attached hereto and incorporated by reference as if set forth in full.

**SECTION 2.** That the City Clerk is hereby instructed to record this Ordinance in the Public Records of Broward County, Florida.

**SECTION 3.** 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 4.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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**REX HARDIN, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

/jrm  
12/28/2020  
L:ord/2021-91