

1
ORDINANCE NO. 2008-21

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE ABANDONING THAT CERTAIN PORTION OF THE RIGHT-OF-WAY FOR NW 6TH COURT LYING 200 FEET EAST OF NW 2ND TERRACE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, fifteen (15) 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 that portion of the right-of-way for NW 6th Court lying 200 feet east of NW 2nd Terrace; and

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 that certain right-of-way as more fully described below.

SECTION 2. It is hereby further found and determined that abandonment and vacation of that certain right-of-way will not have a detrimental effect upon the surrounding property or area.

SECTION 3. That the City of Pompano Beach does hereby abandon and vacate the following described right-of-way:

See Attachment "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. The City of Pompano Beach reserves for its own purposes, and for the purposes of all recognized public utility companies offering public utility services in the City to its customers including, but not limited to, Florida Power Light Company, Southern Bell, Peoples Gas System, and Continental Cablevision, the reservation of an easement forever for the construction, operation and maintenance of overhead and underground electric facilities (including wires, poles, guys, cables, conduits, buried cables, cable terminals, markers, splicing boxes and pedestals, manholes, amplifier boxes, pipes, gas transmission lines, water and sewer lines and all appurtenant devices and equipment) to be installed from time to time; with the right to construct, reconstruct, improve, add to, enlarge, change the voltage, change pressure, as well as the size of, and to remove such facilities or any of them, together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communication purposes, the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and obstructions within the easement area; the right to trim and cut and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines of systems of communication or power or telephone or gas transmission or distribution; and further reserves to the fullest extent, the right and power to grant, if at all, the rights herein granted on the land heretofore described,

over, along, under and across the roads, streets or highways adjoining or through said property. The easement is described on Exhibit "A" attached hereto and incorporated herein by reference as if set forth in full.

SECTION 6. 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 7. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 22nd day of January, 2008.

PASSED SECOND READING this 12th day of February, 2008.


LAMAR FISHER, MAYOR

ATTEST


MARY L. CHAMBERS, CITY CLERK

GBL/jrm
9/18/06 - 1/4/08
L:ord/2006-377

COUSINS SURVEYORS & ASSOCIATES, INC.



21 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 680-9885 FAX (954) 680-0213

PROJECT NUMBER 5218-05

CLIENT :

LAVISH HOLDING CORP.

LAND DESCRIPTION AND SKETCH

Exhibit A
1 of 3

LAND DESCRIPTION :

THAT PORTION OF "SEVENTH STREET" ADJACENT TO AND SOUTH OF LOTS 9, 10, 11 AND 12, INCLUSIVE, AND THE EAST ONE HALF (E1/2) OF "SUMTER'S ADDITION TO POMPANO FIRST ADDITION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 67 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PARCEL:

A PORTION OF SEVENTH STREET, (N.W. 6TH COURT), OF "SUMTER'S ADDITION TO POMPANO FIRST ADDITION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 67 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 13 OF SAID PLAT;

THENCE SOUTH 90°00'00" WEST ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 29.90 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 5.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC DISTANCE OF 9.42 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 14.00 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 40.33 FEET;

THENCE NORTH 00°37'00" EAST ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE EAST ONE HALF (E1/2) OF SAID LOT 13, A DISTANCE OF 10.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 4.22 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHWEST;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 6.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC DISTANCE OF 9.42 FEET;

THENCE NORTH 00°00'00" WEST, A DISTANCE OF 5.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA; CONTAINING 5,546 SQUARE FEET MORE OR LESS.

I HEREBY CERTIFY THAT THE ATTACHED "LAND DESCRIPTION AND SKETCH" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION IN NOVEMBER, 2007.
I FURTHER CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 61G17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

FOR THE FIRM, BY: _____

Richard E. Cousins

RICHARD E. COUSINS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4188

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	02/27/06	-----	AV	REC
REVISED PER COMMENTS	04/29/06	-----	AV	REC
REVISED PER COMMENTS	11/06/07	-----	AV	REC

PROPOSED
RIGHT-OF-WAY
VACATION

PROPERTY ADDRESS :
NW 6TH COURT

SCALE: N/A

SHEET 1 OF 3

P&Z

PZ21-18000001

4/28/2021

COUSINS SURVEYORS & ASSOCIATES, INC.

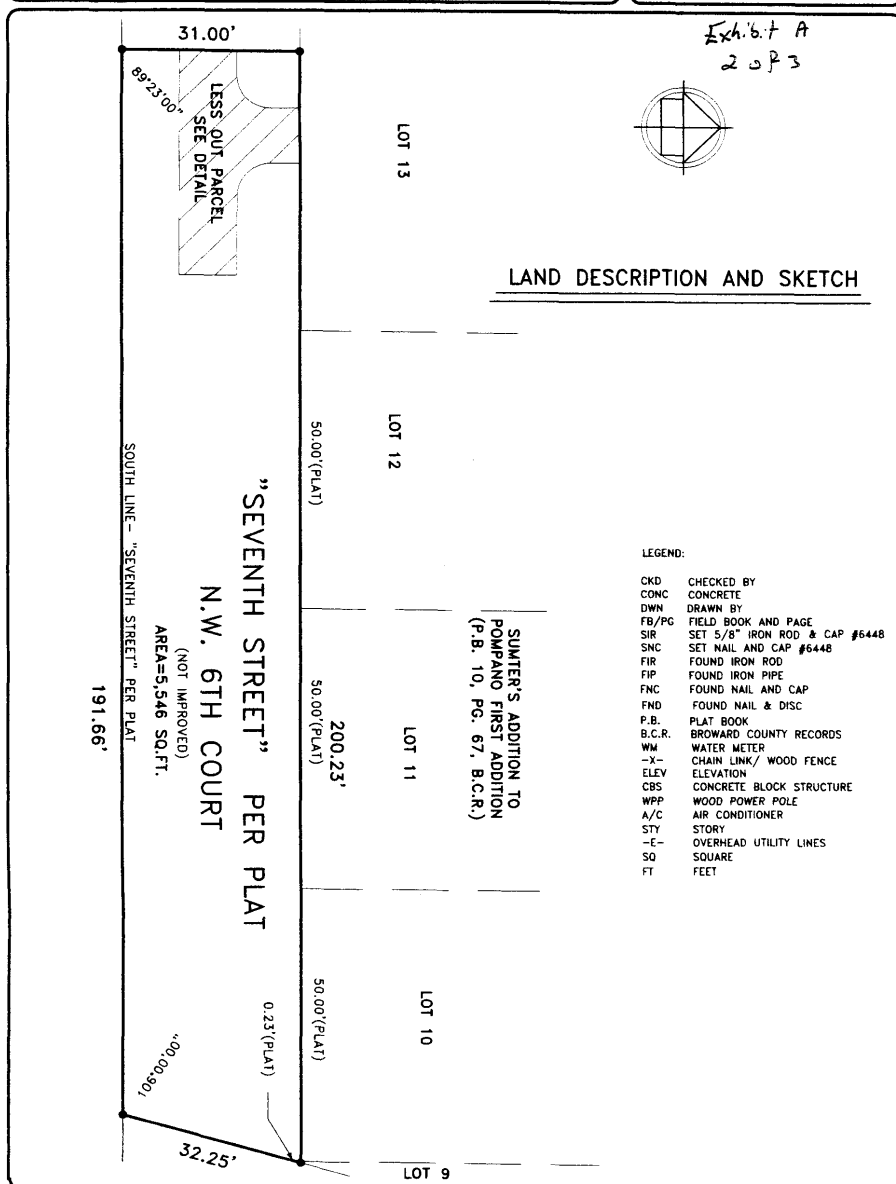


321 SW 47TH AVENUE, SUITE 1011
 AVE, FLORIDA 33314
 CERTIFICATE OF AUTHORIZATION : LB # 6448
 PHONE (954) 680-9885 FAX (954) 680-0213

PROJECT NUMBER : 5218-05

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REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	02/27/06	----	AV	REC
REVISED PER COMMENTS	04/29/06	----	AV	REC
REVISED PER COMMENTS	11/06/07	----	AV	REC

PROPOSED
RIGHT-OF-WAY
VACATION

PROPERTY ADDRESS :
NW 6TH COURT

SCALE: 1"= 20'

SHEET 2 OF 3

P&Z

PZ21-18000001

4/28/2021

COUSINS SURVEYORS & ASSOCIATES, INC.



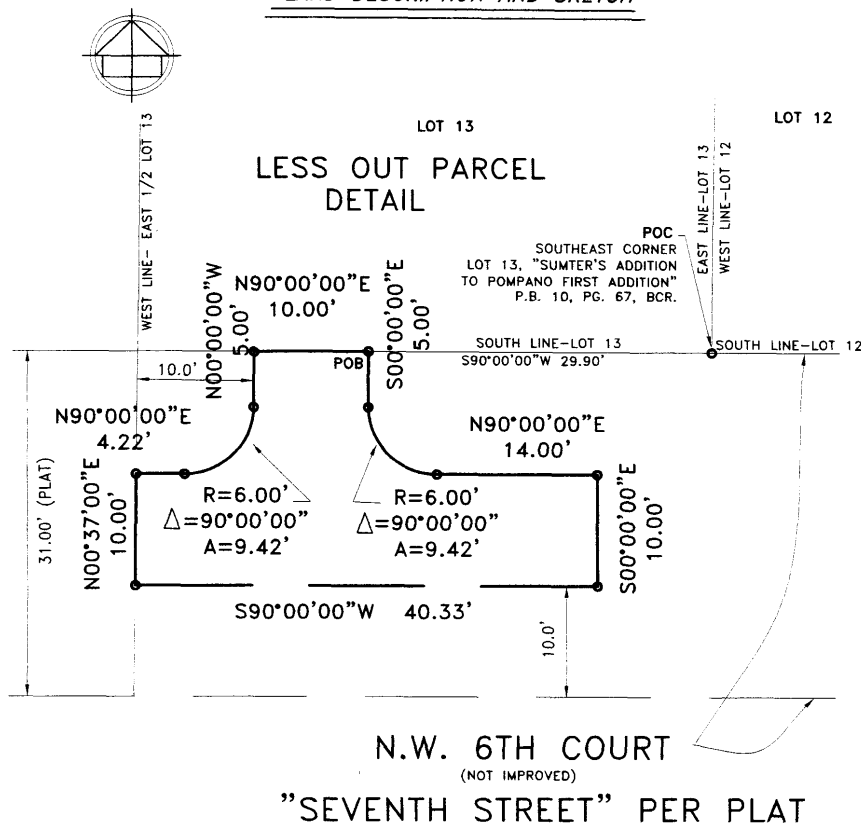
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LAND DESCRIPTION AND SKETCH



NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. DATA SHOWN HEREON DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. BEARINGS SHOWN HEREON ARE ASSUMED. THE SOUTH LINE OF LOT 13, "SUMTER'S ADDITION TO POMPANO FIRST ADDITION", P.B. 10, PG. 67, BCR. BEARS N90°00'00"E.

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION & SKETCH	02/27/06	----	AV	REC
REVISED PER COMMENTS	04/29/06	----	AV	REC
REVISED PER COMMENTS	11/06/07	----	AV	REC

PROPOSED
RIGHT-OF-WAY
VACATION

PROPERTY ADDRESS :
NW 6TH COURT

SCALE: 1"= 10'

SHEET 3 OF 3

P&Z

PZ21-18000001

4/28/2021