

original 18

ORDINANCE NO. 2013-01

CFN # 111086659
OR BK 49196 Pages 49 - 53
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BROWARD COUNTY COMMISSION
DEPUTY CLERK 1026
#1, 5 Pages

CITY OF POMPANO BEACH
Broward County, Florida

**AN ORDINANCE ABANDONING THAT CERTAIN
PORTION OF THE RIGHT-OF-WAY FOR RIVERSIDE
DRIVE LYING NEAR ITS CONNECTION TO NORTH
OCEAN BLVD. (STATE ROAD A1A); 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 Riverside Drive lying near its connection to North Ocean Blvd. (State Road A1A); 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.

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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, AT&T, TECO Peoples Gas, and Comcast Cable, 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 11th day of September, 2012.

PASSED SECOND READING this 9th day of October, 2012.



LAMAR FISHER, MAYOR

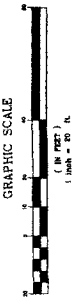
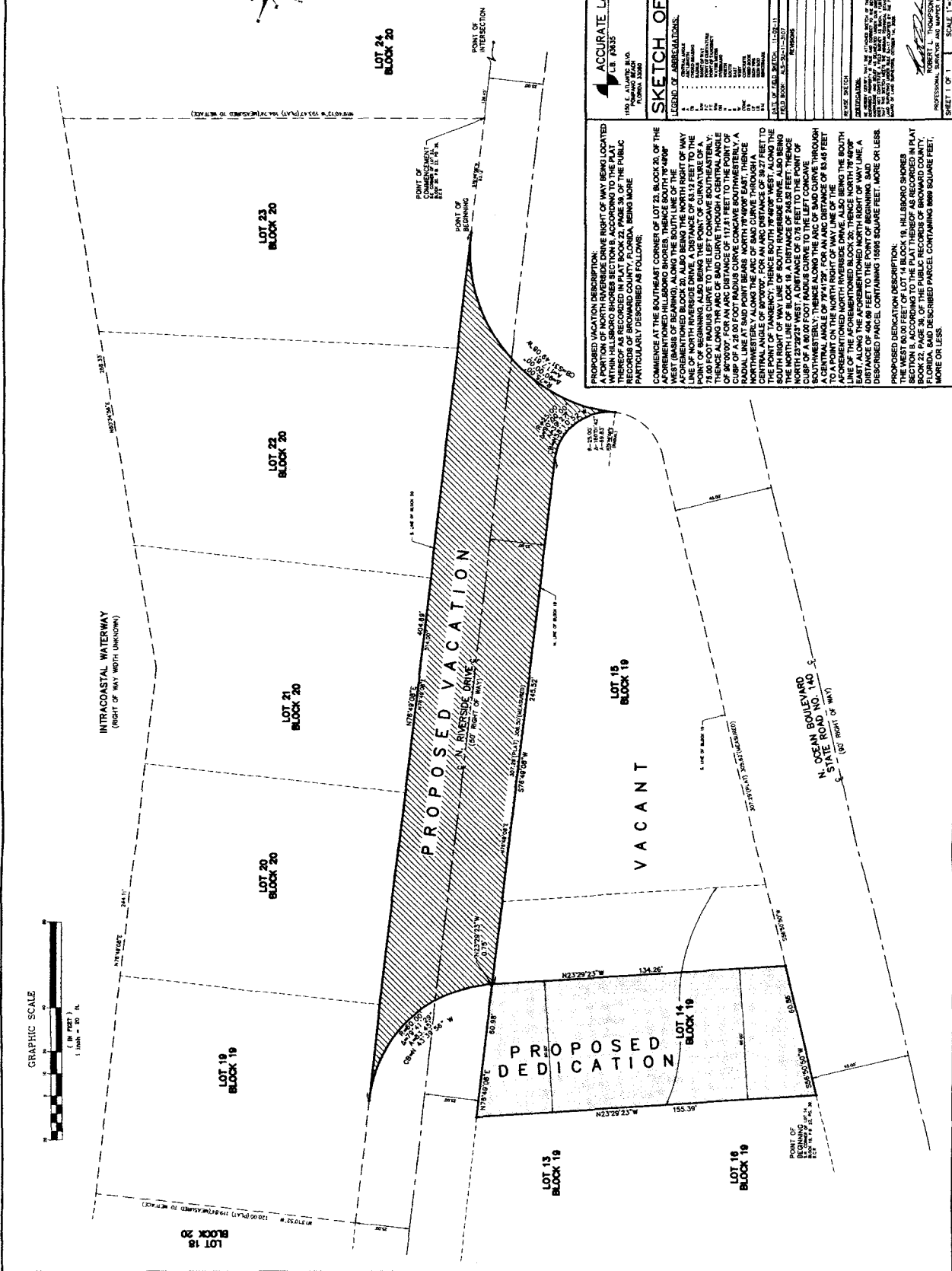
ATTEST



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
7/5/12
L.ord/2012-358

ATTACHMENT "A"



PROPOSED VACATION DESCRIPTION:
 COMMENCE AT THE SOUTHEAST CORNER OF LOT 23, BLOCK 20, OF THE AFOREMENTIONED HILLCREST SHORES, THENCE SOUTH 79°49'08\"/>

CERTIFY TO:
 ACCURATE LAND SURVEYORS, INC.
 U.S. PATS.
 PROFESSIONAL SURVEYOR AND MAPPER NO. 5886 - STATE OF FLORIDA

1985 (M&M) 783-1441
 784 (M&M) 783-1444
 785 (M&M) 783-1444
 786 (M&M) 783-1444

SKETCH OF DESCRIPTION

NO.	DESCRIPTION	AREA
1	LOT 13, BLOCK 19	1,155.30
2	LOT 14, BLOCK 19	1,155.30
3	LOT 15, BLOCK 19	1,155.30
4	LOT 16, BLOCK 19	1,155.30
5	LOT 17, BLOCK 19	1,155.30
6	LOT 18, BLOCK 19	1,155.30
7	LOT 19, BLOCK 19	1,155.30
8	LOT 20, BLOCK 20	1,155.30
9	LOT 21, BLOCK 20	1,155.30
10	LOT 22, BLOCK 20	1,155.30
11	LOT 23, BLOCK 20	1,155.30
12	LOT 24, BLOCK 20	1,155.30

DATE OF FIELD NOTES: 11-10-11
 DATE OF CALCULATION: 11-10-11
 DATE OF PLOTTING: 11-10-11

SCALE: 1" = 20'

SHEET 1 OF 1

SKETCH NUMBER: SA-11-110

