

ORDINANCE NO. 2019-_____

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

**AN ORDINANCE OF THE CITY OF POMPANO BEACH,
FLORIDA, ABANDONING THAT CERTAIN TWENTY
FOOT LANDSCAPE EASEMENT LOCATED ON THE
SOUTHWEST CORNER OF DR. MARTIN LUTHER KING,
JR. BOULEVARD AND NW 12TH 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 that certain twenty foot landscape easement located on the southwest corner of Dr. Martin Luther King, Jr. Boulevard and N.W. 12th Avenue; and

WHEREAS, the Planning and Zoning Board recommended approval of this request at its February 27, 2019 meeting; now, therefore,

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

SECTION 1. That it is found and determined by the City Commission that the public health, welfare, safety and necessity no longer requires retention of any interest by the public in that certain landscape easement, as more fully described below.

SECTION 2. That it is further found and determined that abandonment and vacation of that certain landscape easement will not have a detrimental effect upon the surrounding property or area.

SECTION 3. That the City of Pompano Beach, by this Ordinance, abandons and vacates the landscape easement as described in Exhibit “A,” attached and incorporated as if set forth in full.

SECTION 4. That 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 _____, 2019.

PASSED SECOND READING this _____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

JES:jrm
4/19/19
L:ord/2019-179