

Orig. 24

ORDINANCE NO. 2018-35

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TWELVE FOOT UTILITY EASEMENT LYING SOUTH OF SAMPLE ROAD AND EAST OF POWERLINE ROAD WITHIN PROPERTY LOCATED AT 1800 WEST SAMPLE ROAD; 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 twelve foot utility easement lying within property located at 1800 West Sample Road; 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 the twelve foot utility easement as more fully described below.

SECTION 2. It is hereby further found and determined that abandonment and vacation of that utility easement 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 utility easement:

See Exhibit "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. 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 6. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 23rd day of January, 2018.

PASSED SECOND READING this 13th day of February, 2018.



LAMAR FISHER, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

MEB/jmz
1/4/18
l:ord/2018-83

Exhibit A



SKETCH AND LEGAL DESCRIPTION
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

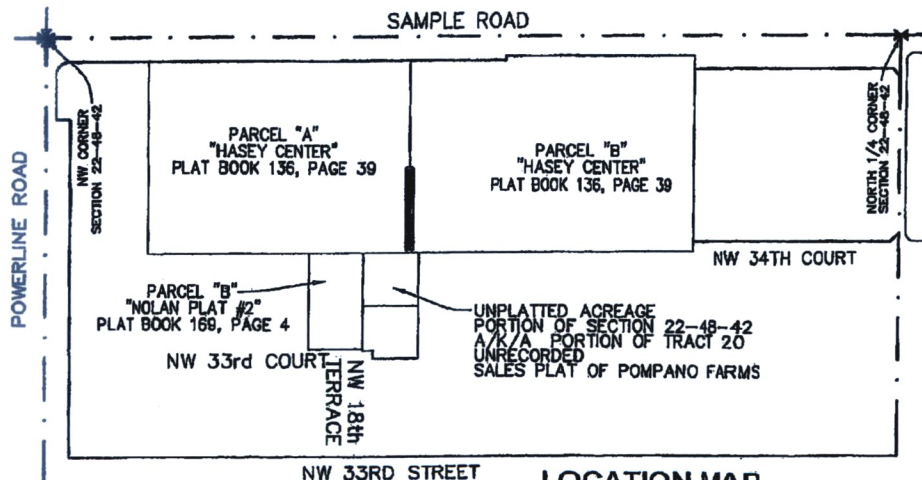
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

**LEGAL DESCRIPTION OF PORTION OF EASEMENT TO BE VACATED:**

A PORTION OF THE 12.00 FOOT WIDE UTILITY EASEMENT IN PARCELS "A" AND "B" OF "HASEY CENTER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 136, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE NORTH 00°04'10" WEST ALONG THE EAST LINE OF SAID PARCEL "A", ALSO BEING THE WEST LINE OF SAID PARCEL "B" FOR 10.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°31'29" WEST 6.00 FEET; THENCE NORTH 00°04'10" WEST ALONG THE WEST LINE OF SAID EASEMENT 241.53 FEET; THENCE NORTH 90°00'00" EAST 12.00 FEET; THENCE SOUTH 00°04'10" EAST ALONG THE EAST LINE OF SAID EASEMENT 241.43 FEET; THENCE SOUTH 89°31'29" WEST 6.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 2,898 SQUARE FEET, MORE OR LESS.

**NOTES:**

- 1) BEARINGS ARE BASED ON THE EAST LINE OF PARCEL "A" BEING N00°04'10"W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LOCATION MAP
NOT TO SCALE

FILE: THOMAS ENGINEERING GROUP

SCALE: N/A

DRAWN: L.S.

ORDER NO.: 63853

DATE: 10/20/17

UTILITY EASEMENT VACATION

POMPANO BEACH, BROWARD COUNTY, FLORIDA

FOR: COSTCO - 1800 W SAMPLE RD

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

☒ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
☒ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
☒ VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
 STATE OF FLORIDA

