

ORDINANCE NO. 9888-26

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, VACATING CITY RIGHT OF WAY, ALLEY, DRAINAGE AND UTILITY EASEMENTS AS MORE PARTICULARLY DESCRIBED HEREIN AND RECORDED IN THE BAY VIEW CITY SUBDIVISION PLAT BOOK 9, PAGE 43 AND THE ABUTTING BAYVIEW TERRACE SUBDIVISION RECORDED IN PLAT BOOK 12, PAGE 63 OF THE PUBLIC RECORDS OF PINELLAS COUNTY; PROVIDING SEVERANCE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Audemars Piguet (North America) Incorporated (the "Applicant") has submitted an application to vacate certain easement interests that encumber their property (the "Easements"), and which are held by the City of Clearwater (the "City"); and

WHEREAS, Said Easements for right of way are not in use by the City, and contain no substantial improvements; nor have any substantial maintenance expenses incurred; and

WHEREAS, the City Council finds that said Easements, as more particularly described herein and shown on Exhibits "A", "B", "C", "D", and "E" are no longer necessary for municipal use, and it is deemed to be in the best interest of the City, and the General Public that the same be vacated; and,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. The portions of right of way, alley, and drainage and utility easements are more particularly described in the attached sketches as follows:

See Exhibits "A", "B", "C", "D", "E".

Said Easements are hereby vacated, closed, and abandoned, and the City of Clearwater hereby releases all rights, title, and interest thereto.

Section 2. As a condition of this Vacation, the Applicant shall execute and return to the City within Thirty (30) calendar days of request, any new easements as necessary to accommodate new or existing utilities.

Section 3. The City Clerk shall record this Ordinance in the Public Records of Pinellas County, Florida, following adoption.

Section 4. This Ordinance shall be severable should any section, paragraph or provision hereof be declared by the courts to be unconstitutional or invalid, and such holdings shall not affect the remaining validity of this Ordinance as a whole or any part thereof.

Section 5. This Ordinance shall take effect immediately upon adoption and shall remain in effect unless otherwise rescinded for failing to meet the conditions described herein.

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL
READING AND ADOPTED

Bruce Rector

Mayor

Approved as to form:

Attest:

Jerrod Simpson
Senior Assistant City Attorney

Rosemarie Call
City Clerk