

ORDINANCE NO. 9477-21

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, VACATING A 15 FOOT WIDE PLATTED ALLEY DESCRIBED AS THAT 15 FOOT ALLEY LYING EASTERLY AND ADJACENT TO LOTS 1, 2, 3, 4, AND 5 IN BLOCK "B" AND WESTERLY OF LOT 9 IN BLOCK "B" OF A REPLAT OF LOTS 1, 2, 3, 4, BLOCK 86 AND LOTS 1 TO 8, INCLUSIVE, BLOCK 85 OF MANDALAY UNIT NO. 5, AS RECORDED IN PLAT BOOK 20, PAGE 27, AND BLOCKS 85A AND 86A OF A REPLAT OF LOTS 1 TO 8, INCLUSIVE, BLOCK 83, LOTS 11 TO 20, INCLUSIVE, BLOCK 84, LOTS 9 TO 16, INCLUSIVE, BLOCK 85, LOTS 5, 6, 7, BLOCK 86, AND ALL OF BLOCKS 76 TO 82, INCLUSIVE, AND 87 OF UNIT NO. 5, MANDALAY, AS RECORDED IN PLAT BOOK, 20, PAGE 48; WHICH REPLAT IS RECORDED IN PLAT BOOK 21, PAGE 13, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner in fee title of certain real property described as Lot 1 Block B, Lot 2 Block B and Lot 3 Block B, which abut a platted alley as depicted in Exhibit "A" (attached hereto and incorporated herein), have requested that the City vacate said alley; and

WHEREAS, the City is the owner of Lot 4 Block B, and Lot 5 Block B, abutting a portion of the subject platted alley to the South of Lot 1 Block B, Lot 2 Block B, Lot 3 Block B, which, as a result of Applicant's requested vacation would become the only portion of the platted alley remaining; and

WHEREAS, the City therefore requests the portion of platted alley abutting City property be vacated also; and

WHEREAS, the City Council of the City of Clearwater, Florida finds that said alley is not 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; now, therefore,

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

Section 1. The following:

The alley described as follows:

See Exhibit "A"

Is hereby vacated, closed and released, and the City of Clearwater releases all of its right, title and interest thereto, subject to its remaining fee simple interest, which is expressly reserved hereby. The effectiveness of the vacation is contingent upon, and subject to, the following condition precedent:

1. That all Property Owners abutting the vacated alley in Exhibit "A" shall grant individual easements to Duke Energy Florida, Inc. (doing business as "Duke Energy") and Frontier Communications, as may be requested by said providers, the location and terms of which are acceptable to the respective utility providers.

Section 2. The City Clerk shall record this ordinance in the Public Records of Pinellas County, Florida, following adoption.

Section 3. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL READING AND ADOPTED

Frank Hibbard
Mayor

Approved as to form:

Attest:

Laura Lipowski Mahony
Senior Assistant City Attorney

Rosemarie Call
City Clerk