

ORDINANCE NO. 9517-21

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, VACATING PUBLIC RIGHT-OF-WAY DESCRIBED AS THAT CERTAIN PORTION OF STATE STREET ABUTTING LOT 11 AND LOT 18 OF E.A. MARSHALL SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 44 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clearwater ("City"), as owner in fee title of certain real property adjoining that portion of right-of-way described herein and depicted in Exhibit "A" (attached hereto and incorporated herein), has requested that the City vacate said right-of-way; and

WHEREAS, the City Council of the City of Clearwater, Florida finds that said right-of-way 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 right-of-way 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, contingent upon, and subject to, the City's fee simple interest therein, which is expressly reserved hereby, and the following conditions precedent:

1. The City of Clearwater shall grant easements to Duke Energy Florida, Inc. (doing business as "Duke Energy"), Bright House Networks, LLC, Verizon Florida, Inc., and Knology of Central Florida (doing business as WOW!), as requested by each entity, the location and terms of which are acceptable to the respective utility providers and the City.

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