

RESOLUTION # 2016-16

A RESOLUTION VACATING A 0.03-ACRE PORTION OF AN ALLEY, BETWEEN INDIANA AND PENNSYLVANIA AVENUES, MORE FULLY DESCRIBED HEREIN AND IN EXHIBIT A, AND RESERVING UNTO THE CITY OF NEW PORT RICHEY FLORIDA, A UTILITY EASEMENT IN, UNDER, ON, OVER AND ABOVE SAID ALLEY RIGHT OF WAY; MORE FULLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Port Richey, Florida concerning the petition of Morton Plant North Bay Hospital to a portion of an alley situated between Indiana Avenue and Pennsylvania Avenue, being more particularly described as follows:

A PARCEL OF LAND BEING A PORTION OF A 20 FOOT PLATTED ALLEY LYING NORTH OF LOTS 17, 18 AND THE WEST 16.50 FEET OF LOT 19, BLOCK 57, REVISED PLAN FOR TOWN OF NEW PORT RICHEY, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 49, PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 17, BLOCK 57, THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF MONROE STREET, NORTH 00°00'00" WEST, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF LOT 16, BLOCK 57; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, SOUTH 90°00'00" EAST ALONG THE SOUTH BOUNDARY LINE OF LOTS 14, 15 AND 16, BLOCK 57, A DISTANCE OF 66.50 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 90°00'00" WEST ALONG THE NORTH BOUNDARY LINE OF LOTS 17, 18 AND 19, BLOCK 57, A DISTANCE OF 66.50 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1,330 SQUARE FEET - 0.03 ACRES MORE OR LESS.

WHEREAS, a public hearing was held and all comments in support of and opposition to the proposed vacation of the above-described right-of-way were heard; and

WHEREAS, the City Council has determined that no person or other entity will be prejudiced by the vacation of said right-of-way; provided, however, that a utility easement is reserved in, under, on, over and above said right-of-way and includes all usage of subsurface areas, surface areas and air rights for municipal utility purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Port Richey, Florida that the hereinabove described right-of-way be and the same is hereby vacated and henceforth from the time of the adoption of this Resolution, the said right-of-way be and the same is hereby permanently closed and vacated; provided, however, that there is hereby reserved unto the City of New Port Richey, Florida, and to any person, firm, or corporation which has heretofore been, or in the future may be granted a franchise by the said City, a utility easement in, on, and over the property and that a right of public access is reserved over the full easement.

BE IT FURTHER RESOLVED that no fence or structure may be erected on, over or across the utility easement.

DONE AND RESOLVED at a regular meeting of the City Council of the City of New Port Richey, Florida on the \_\_\_\_\_ day of \_\_\_\_\_ 2016.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

(SEAL)

\_\_\_\_\_  
Judy Meyers, Interim City Clerk

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Rob Marlowe, Mayor- Councilmember

APPROVED AS TO LEGAL FORM AND CONTENT

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Joseph Poblick, City Attorney

