

ORDINANCE# 2016-2097

AN ORDINANCE 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 NEWPORT 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 EASTRIGHT-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 EASTRIGHT-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, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION I. that the hereinabove described right-of-way be and the same is hereby vacated and henceforth from the time of the adoption of this Ordinance, 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.

SECTION II.that no fence or structure may be erected on, over or across the utility easement.  
The above and foregoing Ordinance was read and approved on first reading at duly convened meeting of the City Council of the City of New Port Richey, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

The above and foregoing Ordinance was read and approved on second reading at duly convened meeting of the City Council of the City of New Port Richey, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

CITY OF NEW PORT RICHEY,FLORIDA

(SEAL)

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

\_\_\_\_\_  
Rob Marlowe, Mayor– Councilmember

APPROVED AS TO LEGAL FORM AND CONTENT

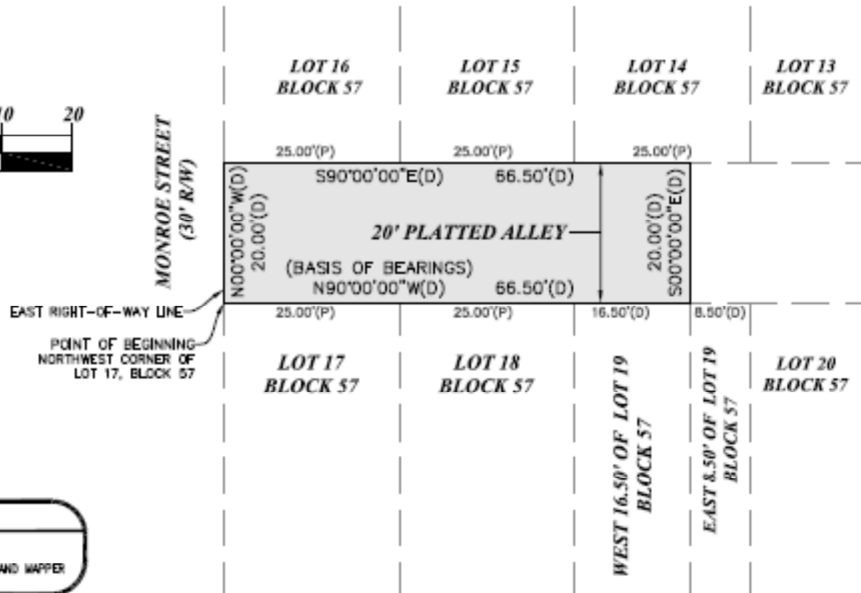
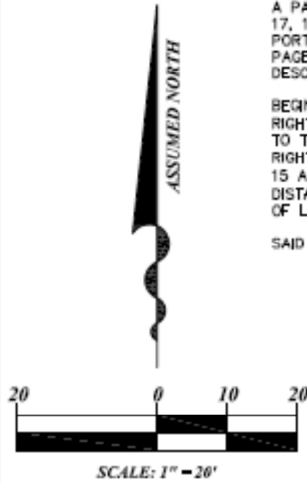
\_\_\_\_\_  
Michael Davis, City Attorney

**LEGAL DESCRIPTION**

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 80°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.



LEGEND	
(D)	DEED MEASUREMENT
(P)	PLAT MEASUREMENT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
R/W	RIGHT-OF-WAY

**SURVEYOR'S NOTES:**

1. THIS LEGAL DESCRIPTION AND SKETCH OR THE COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
2. BASIS OF BEARINGS: ASSUMED BEARING OF N90°00'00"W, ALONG THE NORTH BOUNDARY LINE OF LOTS 17, 18 AND THE WEST 16.50 FEET OF LOT 19, BLOCK 57, AS SHOWN HEREON.
3. THIS OFFICE HAS NOT ABSTRACTED THIS FOR ANY RECORDED CLAIMS OF TITLE EASEMENTS OR RESTRICTIONS. THE PRESENCE OR ABSENCE OF ANY SUCH CLAIMS IS NOT CERTIFIED HEREON.

I HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION AND SKETCH WAS MADE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARD REQUIREMENTS OF CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

**INFORMATION PURPOSES ONLY**

Christopher C. Chittum  
PSM #5167

May 20, 2016  
Date of Signature

PROJECT NUMBER: 16051
FILE: 16051 LEGAL.DWG
CHECKED BY: TW ??
SHEET NO. 1 OF 1

LEGAL DESCRIPTION  
AND SKETCH

PASCO COUNTY, FLORIDA

**DAVRIS, INC.**  
CERTIFICATE OF AUTHORIZATION # 7968  
5830 Nebraska Ave.  
New Port Richey, FL 34652  
Phone: (727) 232-3800

Exhibit A