

PROPOSED  
ORDINANCE NO. 29-17

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND VACATING  
A PORTION OF THE COMMENDENCIA STREET RIGHT OF  
WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF  
FLORIDA; REPEALING CLAUSE; AND PROVIDING AN  
EFFECTIVE DATE.

WHEREAS, a public hearing was held on July 13, 2017,  
as to the vacation of a portion of the Commendencia Street right  
of way; Pensacola, Escambia County, Florida; and

WHEREAS, the vacation of said right-of-way,  
hereinafter described, will contribute to the general welfare of  
the City of Pensacola in that said right-of-way is no longer  
needed as a public thoroughfare; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the following described right of way  
in Pensacola, Escambia County, Florida is hereby closed,  
discontinued, vacated and forever abandoned by the City of  
Pensacola as a public thoroughfare:

That portion of Pine Street (60' right of way), between  
Jefferson Street (60' right of way) to the west and Commendencia  
Street (60' right of way) to the east. Further described as  
beginning at the southwestern corner of the intersection of Pine  
Street and Commendencia Street, thence in a northerly direction  
approximately 60 feet to the northwestern corner of Pine Street  
and Commendencia Street, thence in a westerly direction  
approximately 242 feet to the northeastern corner of Pine Street  
and Jefferson Street, thence in a southerly direction  
approximately 60 feet to the southeastern corner of Pine Street  
and Jefferson Street and thence in an easterly direction  
approximately 243 feet to the point of beginning at the  
southwestern corner of the intersection of Pine Street and  
Commendencia Street.

SECTION 2. That the owners of the abutting property be, and they are hereby authorized to acquire possession of the right-of-way more particularly described in Section 1 of this ordinance, and the City of Pensacola does hereby abandon all claim of right, if any it has, in said property, and it shall remain and be the property of the abutting property owners.

SECTION 3. That, notwithstanding the foregoing sections, the City of Pensacola reserves for itself, Gulf Power Company, Bell South, Cox Cable, and the Emerald Coast Utilities Authority, their successors and assigns, a full width easement in the entire portion the right of way vacated hereby for the purpose of locating and maintaining public utilities and improvements.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk