

VACATION OF ALLEY OR STREET RIGHT OF WAY



Fee: \$2,000.00
Rehearing/Rescheduling Planning Board: \$250.00
Rehearing/Rescheduling City Council: \$500.00

Applicant Information:

Name: DAX CAMPBELL & JOEL CAMPBELL
Address: PO Box 752 GULF BREEZE, FL 32561
Phone: 850-698-4153 Fax: _____ Email: DAX.CAMPBELLCONSTRUCTION@gmail.com

Property Information:

Owner Name: JOEL CAMPBELL
Location/Address: 1011 FAIRNIE AVE

Legal Description: Please attach a full legal description (from deed or survey)

Purpose of vacation of city right of way/comments:

SEE ATTACHED LETTER

I, the undersigned applicant, understand that submittal of this application does not entitle me to approval of this vacation request and that no refund of these fees will be made. I have reviewed a copy of the applicable regulations and understand that I must be present on the date of the Planning Board and City Council meeting.

Signature of Applicant _____
(Owner of Property or Official Representative of Owner)

Date 4/21/17

FOR OFFICE USE ONLY

District: 6

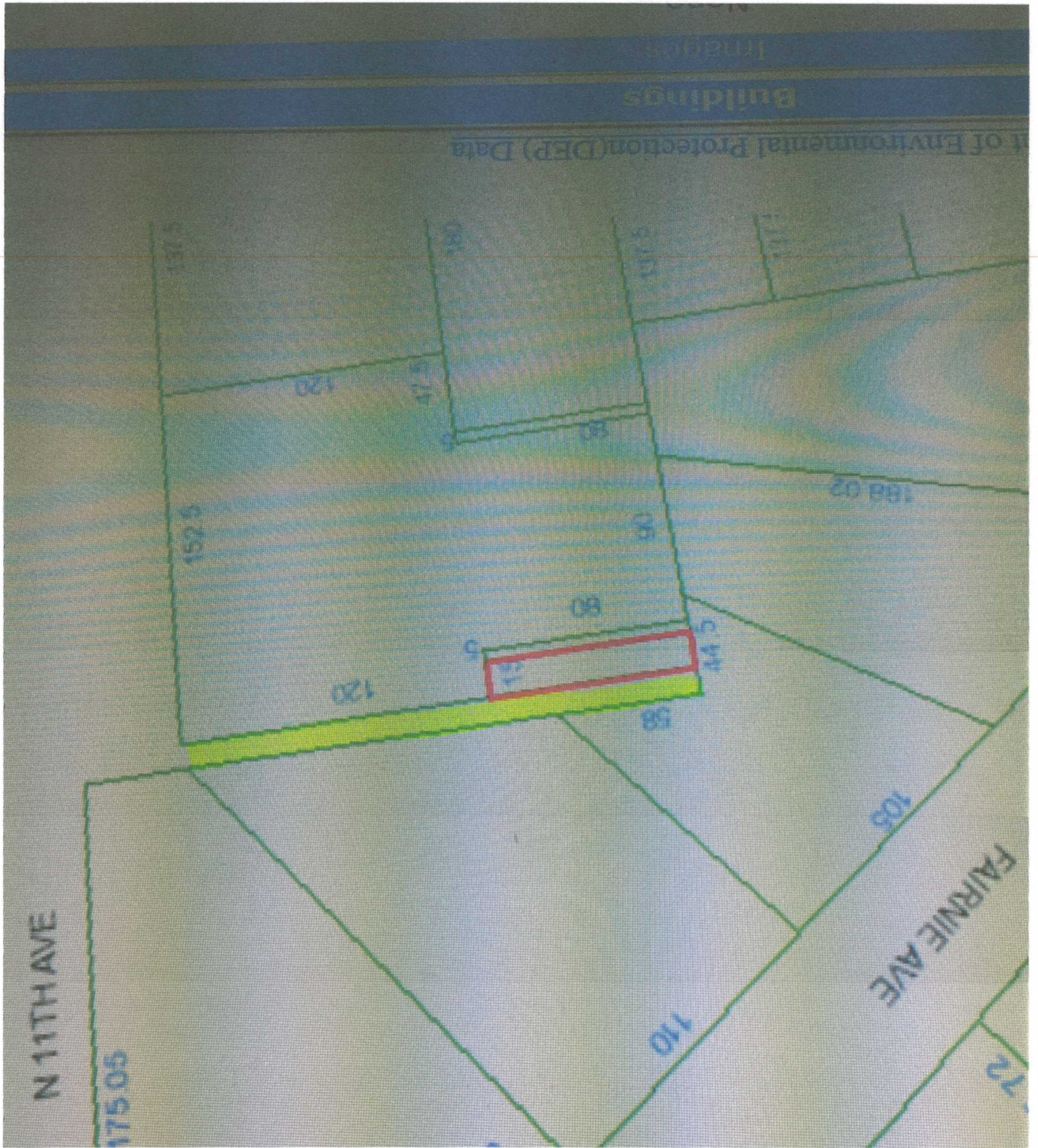
Date Received: 4/21/17

Case Number: V-2017-002

Date Postcards mailed: 6/2/2017

Planning Board Date: 6/13/17 & 8/8/17 Recommendation: Approval

Council Date: 9/14/2017 Council Action: _____









PROPOSED

ORDINANCE NO. 6-52

1st reading: 2/26/52

2nd " : 3/7/52

ORDINANCE NO. 11-52

Substituted: 3/25/52

3rd reading: 3/25/52

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE TO CLOSE, VACATE, DISCONTINUE AND ABANDON THE SOUTH FIFTEEN (15') FEET OF AVERY STREET NORTH OF LOTS 6 TO 10, BOTH INCLUSIVE, IN BLOCK 221, NEW CITY TRACT IN THE CITY OF PENSACOLA, FLORIDA, AND PRESERVING AN ALLEY TWENTY (20') FEET WIDE TO NORTH THEREOF SUBJECT TO PRIVATE MAINTENANCE.

WHEREAS, pursuant to due and legal notice by publication a Public Hearing was held by the City Council on January 22, 1952, as to the closing of the hereinafter described portion of Avery Street; and

WHEREAS, the said portion of Avery Street is not open or improved or in use by the public as a street or public way and the closing thereof will contribute to the general welfare of the City of Pensacola and will be in the public interest; and

WHEREAS, all of the owners of property abutting on any portion of Avery Street lying North of said Block 221 of the New City Tract in the City of Pensacola and other neighboring property owners have consented to the closing of said portion of Avery Street, and the said abutting property owners have released and relinquished all claims for compensation or damages of any kind which may be occasioned or arise by reason of said closing and have further consented that the North 20 feet of the South 35 feet of the East 200 feet of Avery Street lying North of said Block 221 of the New City Tract, so long as it shall remain open as a public way or means of access to their respective properties, shall be maintained by them and the City shall be relieved of any obligation or responsibility as to such maintenance; now, therefore,

BE IT ORDAINED BY THE CITY OF PENSACOLA,
FLORIDA:

SECTION 1. That the portion of Avery Street described as the South 15 feet thereof lying North of Lots 6 to 10, both inclusive, of Block 221 of the New City Tract of the City of Pensacola, be and it is hereby closed, vacated and forever discontinued and abandoned as a street or public way, or a portion thereof; provided that the North 20 feet of the South 35 feet of that portion of Avery Street lying North of said Lots 6 to 10 of Block 221 of the New City Tract shall remain open as a permanent easement extending Westward from the West line of 11th Avenue for a distance of 200 feet to be maintained by the abutting property owners at no expense to the City of Pensacola. As an inducement to the passage of this ordinance, the owners of property abutting on that part of Avery Street lying North of said Block 221 of the New City Tract have consented to the closing of the South 15 feet thereof and have released and relinquished all claims for compensation or damages of any kind against the City of Pensacola which may be occasioned or arise by reason thereof, and have agreed to maintain at their own expense the North 20 feet of the South 35 feet of Avery street lying North of said Lots 6 to 10 of Block 221 of the New City Tract, and to relieve and release the City of Pensacola from any obligation for such maintenance.

MICROFILMED

Roll 236 Frame 11

SECTION 2. This ordinance shall be published once a week for four consecutive weeks in a newspaper printed in the City of Pensacola, and shall take effect thirty (30) days after its passage by the City Council and publication as above set forth, subject to referendum and approval by the voters of the City of Pensacola in the manner provided by Section 54 of the City Charter (Section 54, Chapter 15425, Special Acts of 1931) and in event of such referendum the expense thereof shall be paid by the owners of the property abutting the portion of said Avery Street which is to be vacated and closed.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed: MARCH 25, 1952

Approved:

C. P. Mason
MAYOR.

Attest:

[Signature]
CITY CLERK-COMPTROLLER.

Legal in form and valid if enacted:

George C. Robinson, Jr.
CITY ATTORNEY.

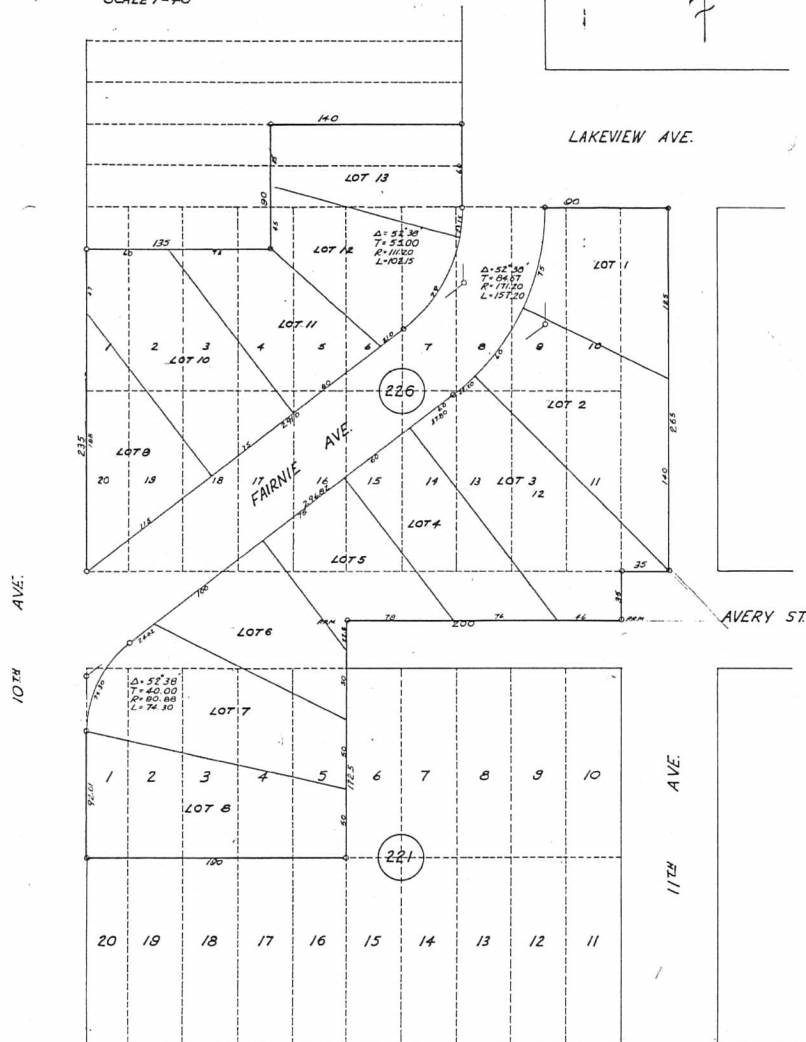
WOODLAND TERRACE

A SUBDIVISION OF BLOCKS 226, A PORTION OF
BLOCK 221 NEW CITY & BLOCK 3 FAIRNIE HILL PLACE

O. J. SEMMES JR.
PENSACOLA, FLA.

REG. SURVEYOR NO. 122
MARCH 1949

SCALE 1"=40'



DESCRIPTION

Lots 1, 2, 3, both inclusive, Block 221, New City Tract, according to map of the City of Pensacola copyrighted by Thos. C. Watson in 1903, less that portion of Lot 1 established as part of street by ordinance of the City of Pensacola, Florida, passed May 3, 1926, and out of Block 226, New City Tract as per map of lots at Pensacola copyrighted by Thos. C. Watson in 1906, less the north 30 feet of the west 125 feet of said block, and less that portion of said block established as a public street by the Board of Commissioners of the City of Pensacola by ordinance passed May 3, 1926, and lots 6, 7 and 20, Block 3 Fairnie Hill Place, a subdivision of the New City Tract in said City of Pensacola, per plat filed March 18, 1941, in Plat Book 1, page 49 of the public records of Escambia County, Florida, and the west 55 feet of that portion of Eleventh Ave. on map of Thos. C. Watson copyrighted in 1906 which is contiguous to Block 226, New City Tract, and which lies between Avery Street and Lakeview Ave., and also those portions of Avery Street between Tenth Ave. and Eleventh Ave. shown also between blocks 226 and 221 of New City Tract, City of Pensacola, described as follows: The north half of the east 200 feet thereof, and that portion of the west 150 feet thereof, which was created by ordinance of the City of Pensacola passed May 22, 1926. All situate & lying and being in the City of Pensacola, County of Escambia, State of Florida.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That I, Mable Godwin Cox, owner of the land herein subdivided, along with my husband William C. Cox hereby dedicate to the public all streets, roads and parks as designated on this plat. Signed, sealed and delivered in the presence of:

William M. Adams

William C. Cox (owner)

STATE OF FLORIDA COUNTY OF ESCAMBIA

Before the subscriber personally appeared Mable Godwin Cox and W. C. Cox known to me to be the individuals described in and who executed the foregoing instrument and acknowledged that they executed the same for the uses and purposes therein set forth. Given under my hand and official seal this 6th day of April, 1949.

John J. Bell
Notary Public, Escambia County, Florida
My commission expires 8/1/62

COUNTY CLERK'S CERTIFICATE

I, Langley Bell, Clerk of the Circuit Court of Escambia County, Florida, hereby certify that this plat conforms with all the requirements of the plat act (Chapter 10275 of the 1935 acts of the Legislature of Florida) and the same was filed for record in the State Archives, and filed in Plat Book 2, of said County of Page 65.

Langley Bell
Clerk of the Circuit Court
Escambia County, Florida

CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONERS

I, Langley Bell, County Clerk of Escambia County, Florida, hereby certify that the within plat being presented to the Board of County Commissioners of said County of their meeting held on the 3rd day of April, 1949, was approved for filing by said Board and I, as Clerk of said Board was instructed by it to so certify hereon.

Langley Bell
County Clerk, Escambia County, Florida (and seal)

SURVEYOR'S CERTIFICATE

The undersigned hereby certifies that this plat is a correct representation of the land herein described and that permanent reference monuments (under 10275) have been placed as required by the Plat Act (Chapter 10275).

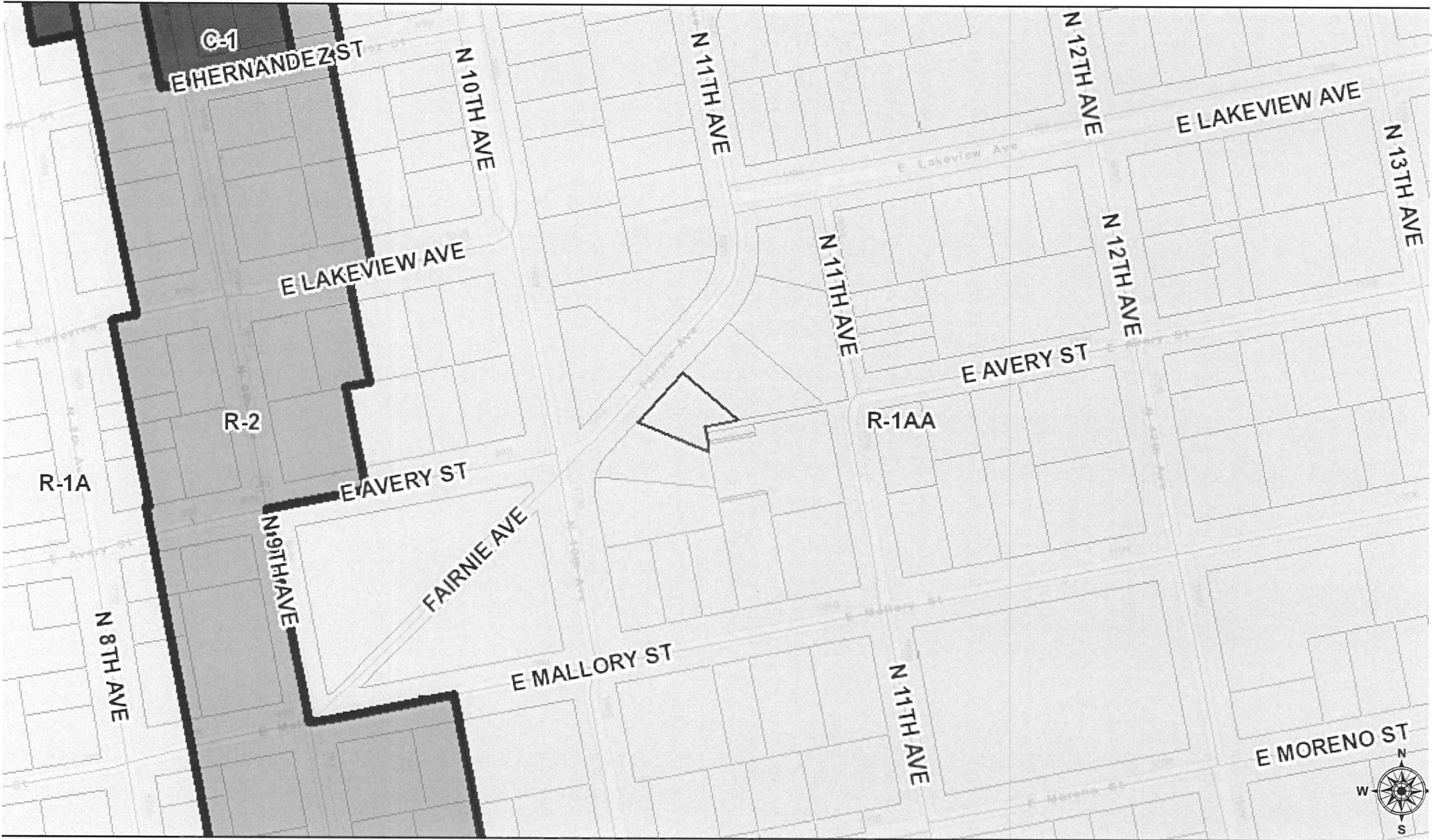
O. J. Semmes Jr.
REGISTERED FLORIDA SURVEYOR NO. 122

SURVEYOR'S SEAL

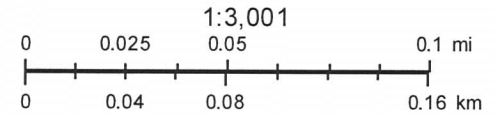
CERTIFICATE OF APPROVAL OF CITY PLANNING BOARD

I, Don Ellis, Chairman of the Planning Board of the City of Pensacola, Florida, hereby certify that the within plat presented to said Board at their meeting held on the 4th day of April, 1949, was approved for filing by said Board and I, as Chairman of said Board was instructed by it to so certify.

Don Ellis
Chairman, Planning Board City of Pensacola



arch 8, 2017



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, E Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIn NGCC, © OpenStreetMap contributors, and the GIS User Community