

PROPOSED
ORDINANCE NO. 30-22

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND VACATING ALL OF YONGE STREET BETWEEN THE WEST LINE OF DAVIS HIGHWAY AND THE EAST LINE OF DR. MARTIN LUTHER KING, JR. DRIVE IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on July 21, 2022, as to the vacation of Yonge Street between the west line Davis Highway (formerly Davis Street) and the east line of Dr. Martin Luther King, Jr. Drive (formerly Alcaniz Street), Pensacola, Escambia County, Florida; and

WHEREAS, the City of Pensacola owns all of the adjoining property to the area to be vacated, which will be combined with the parcels north and south of the area to be vacated for the purpose of expanding Magee Field Park for public use; 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:

All of Yonge Street between the west line of Davis Highway (formerly Davis Street) and the east line of Dr. Martin Luther King, Jr. Drive (formerly Alcaniz Street)

SECTION 2. That the City of Pensacola is authorized to acquire possession of the right-of-way more particularly described in Section 1 of this ordinance for the public purpose set forth herein, to expand Magee Field Park.

SECTION 3. That, notwithstanding the foregoing sections, the City of Pensacola reserves for itself and all existing utility providers, 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. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. 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