

PROPOSED
ORDINANCE NO. 16-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND VACATING
A PORTION OF THE 400 BLOCK OF CEVALLOS
STREET; IN PENSACOLA, ESCAMBIA COUNTY, STATE
OF FLORIDA; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, a public hearing was held on March 12, 2020,
as to the vacation of a portion of the 400 Block of Cevallos
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:

COMMENCING AT THE NORTHEAST CORNER OF LOT 39, BLOCK 8, OLD CITY,
CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, SAID POINT BEING ON
THE WESTERLY RIGHT-OF-WAY (R/W) LINE OF CEVALLOS STREET (56'
PUBLIC R/W); THENCE PROCEED SOUTH 11°11'47" EAST ALONG SAID
WESTERLY R/W LINE FOR A DISTANCE OF 12.95 FEET TO THE POINT OF
BEGINNING; THENCE CONTINUE LAST COURSE, PROCEED SOUTH 11°11'47"
EAST ALONG SAID WESTERLY R/W LINE FOR A DISTANCE OF 29.57 FEET
TO A POINT OF NON-TANGENT CURVATURE OF A CIRCULAR CURVE CONCAVE
TO THE NORTHWEST HAVING A RADIUS OF 174.93 FEET; THENCE PROCEED
SOUTHWESTERLY ALONG THE ARC OF SAID CURVED R/W LINE FOR AN ARC
DISTANCE OF 134.90 FEET (CHORD = 131.58 FEET, CHORD BEARING =
SOUTH 26°33'25" WEST, DELTA = 44°11'04") TO THE POINT OF
INTERSECTION OF A NON-TANGENT CIRCULAR CURVE CONCAVE TO THE
NORTHWEST HAVING A RADIUS OF 155.00 FEET, SAID POINT BEING ON
THE NORTHEASTERLY R/W LINE OF THAT PORTION OF FLORIDA DEPARTMENT

OF TRANSPORTATION (FDOT) R/W SHOWN ON FDOT MAP SECTION 48006-2503 DATED 3-12-76; THENCE PROCEED NORTHEASTERLY ALONG SAID R/W LINE FOR AN ARC DISTANCE OF 161.06 FEET (CHORD = 153.92 FEET, CHORD BEARING = NORTH 18°34'16" EAST, DELTA = 59°32'16"); THENCE DEPARTING SAID CURVED R/W LINE, PROCEED NORTH 78°48'10" EAST ALONG SAID EASTERLY R/W LINE FOR A DISTANCE OF 4.15 FEET TO THE POINT OF BEGINNING.

LYING IN AND BEING A PORTION OF SECTION 46, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINS 475 SQUARE FEET MORE OR LESS.

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 and 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