

PROPOSED  
ORDINANCE NO. 19-20

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

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE ALLEYWAY LOCATED IN BLOCK 29, EAST PENSACOLA HEIGHTS, IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on April 9, 2020, as to the vacation of a portion of the alleyway located in Block 29, East Pensacola Heights; 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: Description of a portion of a 20 foot alley located in block 29, East Pensacola Heights.

BEGIN AT THE NORTHWEST CORNER OF LOT 1 BLOCK 29, EAST PENSACOLA, A SUBDIVISION OF A PORTION OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 29 WEST, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE PLAT RECORDED IN DEED BOOK 77, PAGE 520, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE GO NORTH 85 DEGREES 00 MINUTES 14 SECONDS EAST ALONG THE NORTH LINE OF LOTS 1 THRU 8 OF SAID BLOCK 29 A DISTANCE 200.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 8 BLOCK 29; THENCE GO NORTH 05 DEGREES 10 MINUTES 05 SECONDS WEST ALONG AN EXTENSION OF SAID LOT 8 A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF LOT 25 OF SAID LOT 29; THENCE GO SOUTH 85 DEGREES 00 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF LOT 25 THRU 28 OF SAID BLOCK 29 A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF LOT 28 BLOCK 29; THENCE GO SOUTH 05 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 10.00 FEET TO THE CENTERLINE OF SAID ALLEYWAY; THENCE GO 100.00 FEET TO THE EASTERLY

RIGHT OF WAY OF STANLEY AVENUE; THENCE GO SOUTH 05 DEGREES 10 MINUTES 05 SECONDS EAST ALONG SAID EASTERLY RIGHT OF WAY OF STANLEY AVENUE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 3,000 SQUARE FEET.

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 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