

ORDINANCE 19 - ____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF A 20-FOOT UTILITY AND DRAINAGE EASEMENT AFFECTING LOT 9, BLOCK 2244, PORT ST. LUCIE SECTION THIRTY-THREE, RECORDED IN PLAT BOOK 15, PAGE(S) 1, 1A THROUGH 1V, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicants, Forrest Clifton Smalley and Mildre Smalley, request approval for the abandonment of ten (10) feet of the rear platted twenty (20) foot utility and drainage easement located on Lot 9, Block 2244, Port St. Lucie Section Thirty-Three, according to the plat thereof, as recorded in Plat Book 15, Page(s) 1, 1A through 1V, of the Public Records of St. Lucie County, Florida and more particularly described in the attached Exhibit “A”, which is incorporated herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA HEREBY ORDAINS AS FOLLOWS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. That the ten (10) feet west portion of the rear twenty (20) feet utility and drainage easement described in the attached Exhibit “A” is hereby abandoned and any right, title or interest of the public in and to said portion of the rear twenty (20) feet drainage and utility easement on any recorded map or plat is hereby renounced and reclaimed.

Section 3. The effect of this Ordinance is to abandon the ten (10) feet west portion of the twenty (20) feet above described drainage and utility easement and to renounce or disclaim any right, title or interest of the public in and to said portion of the drainage and utility easement.

Section 3. Recordation. The City Council hereby directs that this Ordinance be recorded in the public records of St. Lucie County, Florida.

Section 4. Conflict. If any ordinances, or parts of ordinances, or if any sections, or parts of sections, of the Code of Ordinances of the City of Port St. Lucie, Florida, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall

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remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida this ____ day of _____, 2019.

ATTEST:

CITY COUNCIL
CITY OF PORT ST. LUCIE

Karen A. Phillips, City Clerk

By: _____
Gregory J. Oravec, Mayor

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney