



Legislation Details (With Text)

**File #:** 2019-889      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 9/18/2019      **In control:** City Council

**On agenda:** 10/14/2019      **Final action:** 10/14/2019

**Title:** Ordinance 19-72, Motion to Adopt Ordinance Abandoning a Portion of a Twenty (20) foot Utility and Drainage Easement Affecting Lot 49, Block 1750, Port St. Lucie Section Thirty-One, recorded in Plat Book 14, Page(s) 22, 22A through 22G, of the Public Records of St. Lucie County, Florida.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Memo from CAO, 2. Ordinance, 3. Sketch and Legal Description, 4. Location Map

| Date       | Ver. | Action By    | Action   | Result |
|------------|------|--------------|----------|--------|
| 10/14/2019 | 1    | City Council | Approved | Pass   |

Placement: First Reading of Ordinances

Action Requested: Motion / Vote

Ordinance 19-72, Motion to Adopt Ordinance Abandoning a Portion of a Twenty (20) foot Utility and Drainage Easement Affecting Lot 49, Block 1750, Port St. Lucie Section Thirty-One, recorded in Plat Book 14, Page(s) 22, 22A through 22G, of the Public Records of St. Lucie County, Florida.

Submitted By: Clyde Cuffy, E.I., Public Works

Strategic Plan Link: The City’s Mission to be responsive to our community.

Executive Summary (General Business): The owners of 2141 SW Harrison Ave are requesting to abandon ten (10) feet of the existing twenty (20) foot wide rear utility and drainage easement to construct a swimming pool and pool deck.

Presentation Information: N/A

Staff Recommendation: Move that the Council approve to abandon ten (10) feet of the rear twenty (20) foot utility and drainage easement located at 2141 SW Harrison Ave.

**Alternate Recommendations:**

1. Move that the Council amend the recommendation and approve the abandonment of the drainage easement.
2. Move that the Council not approve the abandonment and provide staff direction.

**Background:** The property located at 2141 SW Harrison Ave was platted with a rear twenty (20) foot wide utility and drainage easement. The owners desire to construct a pool and pool deck ten (10) feet into the twenty (20) foot easement. Prior to construction of the pool, a ten (10) foot wide portion of the easement will need to be abandoned. The owners of the property have submitted a request for the abandonment to the City.

**Issues/Analysis:** The request to abandon a portion of the easement was evaluated by the Public Works Department, Utility Systems Department, and the Public Utility Companies (AT&T, FPL, Comcast, and Florida City Gas). The City Departments and Utility Companies have no objection to the abandonment of ten (10) feet of the twenty (20) foot rear easement at 2141 SW Harrison Ave.

**Financial Information:** There will be no cost incurred by the City.

**Special Consideration:** N/A

**Location of Project:** The property is located at 2141 SW Harrison Ave.

**Attachments:**

- Staff Memo from the City Attorney's Office to Public Works
- Ordinance
- Exhibit "A" to Ordinance (Sketch and Legal Description)
- Location Map

*NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.*

**LEGAL SUFFICIENCY REVIEW:**

Approved as to Legal form and sufficiency by James D. Stokes, City Attorney. (Reference Legistar database for authorizing City Attorney representative.)