

ORDINANCE NO. _____

(VA-17-01)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, VACATING AN APPROXIMATELY 60 FOOT PORTION OF A SUBMERGED PUBLIC ROAD RIGHT OF WAY, IMMEDIATELY SOUTH OF LOT 1 BLOCK 174 OF THE PLAT OF HOLLYWOOD CENTRAL BEACH, LOCATED WEST OF OCEAN DRIVE ALONG PALM STREET (AND AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO); PROVIDING FOR A SEVERABILITY CLAUSE; A REPEALER PROVISION, AND AN EFFECTIVE DATE.

WHEREAS, the Developer and owner of the property north of the submerged right of way, Seaside Village by Vintage Homes, Inc., includes deeded dock space as an amenity of the development; and

WHEREAS, the space for an additional deeded dock space is available in submerged land currently controlled by the City as road right of way dedicated by plat and currently known as Palm Street; and

WHEREAS, Seaside Village by Vintage Homes, Inc. has submitted an application to vacate the northern half of the right of way of Palm Street, west of A1A, which is submerged right of way land that has not been used for a public roadway or access purpose; and

WHEREAS, utility easement and construction provisions to accommodate future utility or drainage service and construction access opportunities have been satisfied by the delivery of appropriate documents to be held in escrow, and said documents will be released from escrow upon the vacation becoming effective, and these vacation obligations are further identified in the attached Exhibit "B"; and

WHEREAS, the applicant constitutes the only landowner affected by the subject right of way vacation; and

WHEREAS, the City Commission of the City of Hollywood, after review of the recommendations of staff and consideration of this issue, has determined that the subject submerged lands right of way is not required for public use, and the proposed vacation bears a reasonable relationship to the health, safety and welfare of the citizens of Hollywood, Florida; and

WHEREAS, the City Commission has further determined that the proposed vacation would be in the best interests of the citizens of Hollywood, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That it hereby vacates that specific 60 foot portion of a submerged public right of way immediately south of Lot 1 Block 174, of the Plat of Hollywood Central Beach, located west of Ocean Drive along Palm Street and more specifically described on Exhibit "A," attached hereto and incorporated herein by reference.

Section 2: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 3: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 4: That this ordinance shall be in full force and effect immediately upon its passage and adoption.

ADVERTISED on _____, 2017.

PASSED on first reading this _____ day of _____, 2017.

PASSED AND ADOPTED on second reading this _____ day of _____, 2017.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the City of
Hollywood, Florida, only:

JEFFREY P. SHEFFEL, CITY ATTORNEY