

ORDINANCE 12 - 05

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A NON EXCLUSIVE UTILITY EASEMENT DEDICATED TO THE CITY OF PORT ST. LUCIE ON THE PLAT FOR RIVER PARK-UNIT FIVE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Lucie Riverland, a Florida Corporation, designated certain drainage and utility easements which were dedicated on January 26, 1959 to the public and accepted by the City of Port St. Lucie, a Florida municipal corporation ("City"), pursuant to the Plat of River Park-Unit Five, recorded on March 6, 1959 in Plat Book 11 at Page 31 of the Public Records of St. Lucie County, Florida; and

WHEREAS, the record owner of the lands encompassed by the Plat of River Park-Unit Five, desires to construct an "Autozone" on the property; and

WHEREAS, St. Lucie County does not permit construction in their easements, and code requires a 6' Separation fence be constructed on the Northern side of the property to separate the Autozone from the residences behind it; and

WHEREAS, St. Lucie County has requested, as part of the abandonment process, releases of the platted utility easements from each and every utility provider named on the Plat and/or benefited by the utility easements dedicated pursuant to said Plat.

WHEREAS, City staff has determined that no City utility facilities or improvements have been installed or constructed within the platted utility easements in which the City would have any interests; and

WHEREAS, the City has already acquired a replacement easement on the Southern border of the property for use as an exclusive utility easement; and

ORDINANCE 12 - 05

WHEREAS, the City desires to grant the request and release, terminate and abandon all of its interests in and to the utility easements depicted and described in said Plat.

NOW THEREFORE, the City of Port St. Lucie hereby ordains:

Section 1. That there is hereby authorized the release, termination, and abandonment of the City's interests in and to the platted utility easements depicted and more fully described in the attached Exhibits "A-1" and "A-2," with the Legal Sketch and Description more fully described in the attached Exhibits "B-1" and "B-2."

Section 2. That the Mayor and City officials are hereby authorized to execute any and all forms and instruments necessary, if any, to document and record this release, termination and abandonment of said utility easements.

Section 3. That this ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____ 2012.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

Karen A. Phillips, City Clerk

By: _____
JoAnn M. Faiella, Mayor

APPROVED AS TO FORM

By: _____
Roger G. Orr, City Attorney

Sketch and Description:

THIS IS NOT A SURVEY

Exhibit B-1

Legal Description:

(AS WRITTEN BY THE SURVEYOR PER THE CLIENT'S REQUEST)

A PARCEL OF LAND LYING AND BEING IN A PORTION OF SECTION 28, TOWNSHIP 36 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

THE EASTERLY 6 FEET OF LOT 35, BLOCK 43, "RIVER PARK - UNIT FIVE", AS RECORDED IN PLAT BOOK 11, PAGE 31, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONTAINING 900 SQUARE FEET MORE OR LESS.

Surveyor's Notes:

- "SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."
- "ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR
- BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED DATUM AS BEING NORTH 89°56'00" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF PRIMA VISTA BOULEVARD.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.

Abbreviation Legend:

(A) - ACTUAL	Δ - DELTA	L - ARC LENGTH
(BB) - BEARING BASIS	(D) - DEED	(M) - MEASURED
(C) - CALCULATED	(DE) - DEED EXCEPTION	NR - NON-RADIAL
C - CHORD	D/U - DRAINAGE AND UTILITY	NT - NON-TANGENT
CB - CHORD BEARING	E - EASEMENT	OR - OFFICIAL RECORDS
C/L - CENTERLINE	ESMT - EASEMENT	ORB - OFFICIAL RECORDS BOOK
COR - CORNER	FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION	(P) - PLAT
		PB - PLAT BOOK
PC - POINT OF CURVATURE	POC - POINT OF COMMENCEMENT	
PCC - POINT OF COMPOUND CURVATURE	POL - POINT ON LINE	
PG - PAGE	PGS - PAGES	
PI - POINT OF INTERSECTION	POB - POINT OF BEGINNING	
PRC - POINT OF REVERSE CURVATURE	PT - POINT OF TANGENCY	
R40E - RANGE 40 EAST	SEC 28 - SECTION 28	
R - RADIUS	SQ FT - SQUARE FEET	
RAD - RADIAL	TB - TANGENT BEARING	
REV - REVISION	T36S - TOWNSHIP 36 SOUTH	
RP - RADIUS POINT	R/W - RIGHT-OF-WAY	

Surveyor's Certification:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as expressed in my direction on October 5, 2011. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Subchapter 5J-17 of the Florida Administrative Code.

For the Firm By:

Thomas J. Garofalo

OCT 10 2011

Professional Surveyor and Mapper
Florida Registration No. 6549

NOT VALID WITHOUT SHEETS 1 & 2 OF 2

Eng. - ENGINEERING	L.B. - LICENSED BUSINESS
C.O.A. - CERTIFICATE OF AUTHORIZATION	Arch. - ARCHITECTURAL
Landscape - LANDSCAPE	N/A - NOT APPLICABLE
No. - NUMBER	P.O. - POST OFFICE
	© - COPYRIGHT

Drawn By: TNL

Date: 10/5/11

Job No. A20133

Scale: 1"=100'

File: A20133_6 SKETCH.DWG



Engineers (C.O.A. No. 3215)
Architects (Lic. No. AA2600926)
Surveyors (L.B. No. 7143)
Landscape Arch. (Lic. No. LC0000298)
Planners
Environmental Scientists
Construction Management
Traffic/Transportation

500 West Fulton Street
Sanford, FL 32771
P.O. Box 2808
32772-2808
Phone: 407.322.6841
Fax: 407.330.0639

6' EASEMENT
SECTION 28-TOWNSHIP 36 SOUTH-RANGE 40 WEST
ST. LUCIE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet

1

1 of 2

© 2011

Sketch and Description:

THIS IS NOT A SURVEY

Exhibit B-2

Legal Description:

(AS WRITTEN BY THE SURVEYOR PER THE CLIENT'S REQUEST)

A PARCEL OF LAND LYING AND BEING IN A PORTION OF SECTION 28, TOWNSHIP 36 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

THE NORTHERLY 10 FEET OF LOTS 35, 36, 37 AND 38, BLOCK 43, "RIVER PARK - UNIT FIVE", AS RECORDED IN PLAT BOOK 11, PAGE 31, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONTAINING 3250 SQUARE FEET MORE OR LESS.

Surveyor's Notes:

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- BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED DATUM AS BEING NORTH 89°56'00" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF PRIMA VISTA BOULEVARD.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENT'S REQUEST.
- THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- THIS IS NOT A BOUNDARY SURVEY. THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR, NO FIELD SURVEY WAS PREPARED TO DEFINE OWNERSHIP.

Abbreviation Legend:

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(BB) - BEARING BASIS	(D) - DEED	(M) - MEASURED
(C) - CALCULATED	(DE) - DEED EXCEPTION	NR - NON-RADIAL
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RP - RADIUS POINT	R/W - RIGHT-OF-WAY	

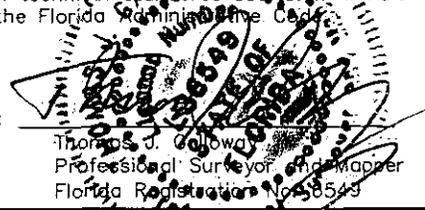
Surveyor's Certification:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on October 5, 2011. I further certify that this "Sketch and Description" meets the minimum technical standards set forth in Rule Chapter 5J-17 of the Florida Administrative Code.

For the Firm By:

OCT 10 2011

Thomas J. Coloway
Professional Surveyor and Mapper
Florida Registration No. 38549



TITLE BLOCK ABBREVIATIONS			
Eng. = ENGINEERING	L.B. = LICENSED BUSINESS	Arch. = ARCHITECTURAL	
C.O.A. = CERTIFICATE OF AUTHORIZATION	N/A = NOT APPLICABLE	Lic. = LICENSED	
Landscape = LANDSCAPE	P.O. = POST OFFICE	C = COPYRIGHT	
No. = NUMBER			

NOT VALID WITHOUT SHEETS 1 & 2 OF 2

Drawn By: TNL

Date: 10/5/11	Job No. A20133
Scale: N/A	File: A20133_10 SKETCH.DWG



Engineers (C.O.A. No. 3215)
Architects (Lic. No. AA2600926)
Surveyors (L.B. No. 7143)
Landscape Arch. (Lic. No. LC0000298)
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P.O. Box 2808
32772-2808
Phone: 407.322.6841
Fax: 407.330.0639

EASEMENT VACATE
SECTION 28-TOWNSHIP 36 SOUTH-RANGE 40 EAST
ST. LUCIE COUNTY, FLORIDA

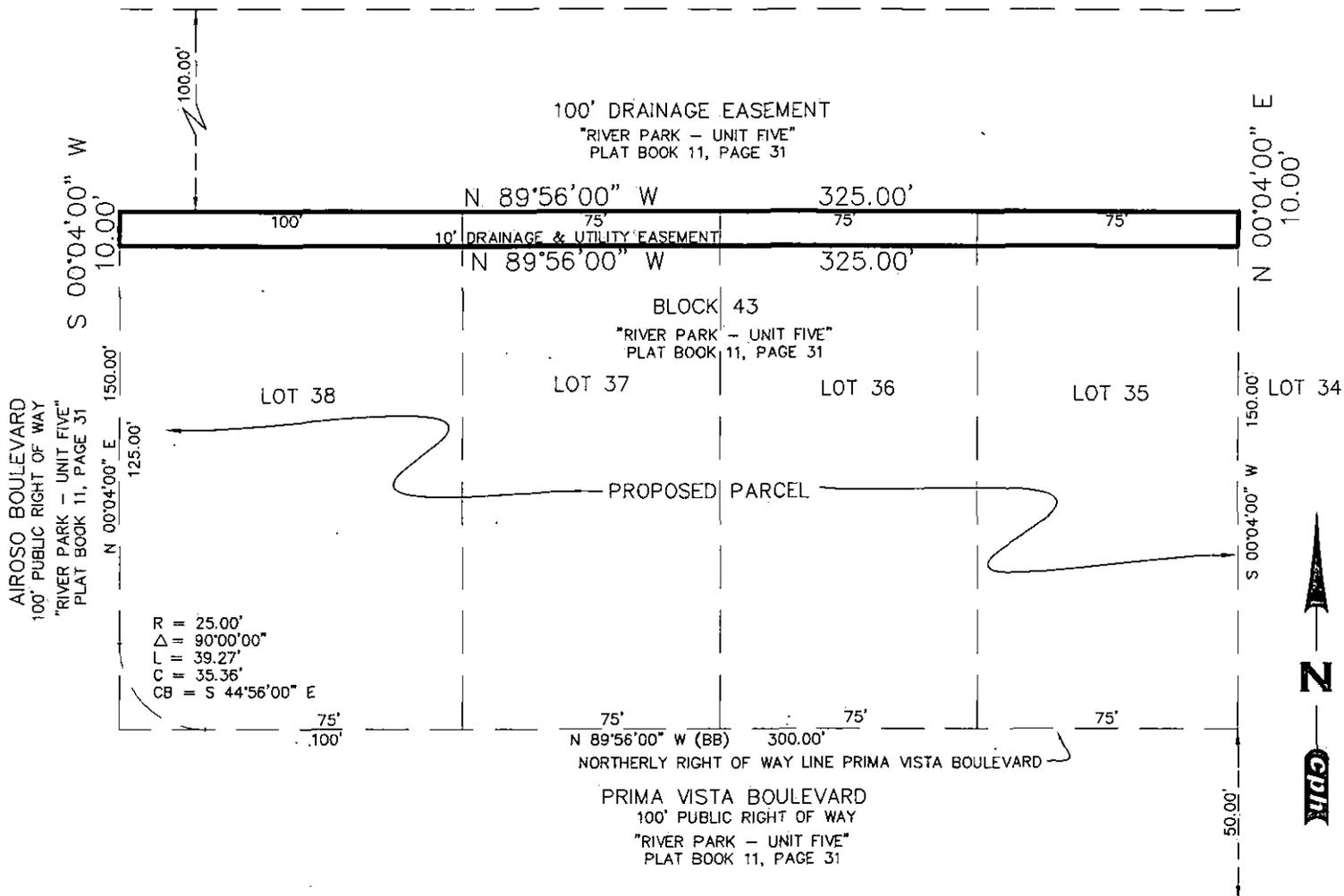
SKETCH AND DESCRIPTION

Sheet
1
1 of 2

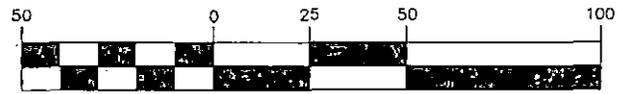
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Sketch and Description:

THIS IS NOT A SURVEY



GRAPHIC SCALE

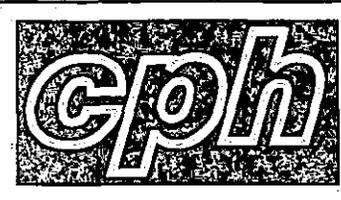


(IN FEET)
1 inch = 50 ft.

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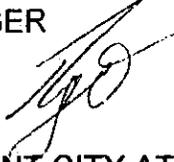
500 West Fulton Street
 Sanford, FL 32771
 P.O. Box 2808
 32772-2808
 Phone: 407.322.6841
 Fax: 407.330.0639

EASEMENT VACATE
 SECTION 28-TOWNSHIP 36 SOUTH-RANGE 40 EAST
 ST. LUCIE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet
2
 2 of 2
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MEMORANDUM

TO: JERRY A. BENTROTT, CITY MANAGER
THRU: ROGER G. ORR, CITY ATTORNEY 
FROM: STEFANIE BESKOVOYNE, ASSISTANT CITY ATTORNEY 
DATE: February 1, 2012
SUBJECT: Abandonment of Easement at NE Prima Vista Autozone

Attached for review and approval by the Port St. Lucie City Council is a request for abandonment of a designated drainage and utility easement on the Northern and Eastern borders of certain property in St Lucie County, more particularly described in Exhibit "A." The City has already acquired an exclusive utility easement on the Southern border of the property to replace the easements we are requesting to abandon. The attached ordinance describes in detail this transaction and the action by the County to abandon the same easements located at River Park-Unit 5, Lots 35 – 38, Block 43.

Please place this on the Consent Agenda for the February 6, 2012 City Council Meeting. If you have any questions or need additional information, please do not hesitate to contact me at ext. 6332.

Stefanie Beskovoyne
Attach.

c: Laney Southerly, P.E., Engineering Manager (email)
Jesus A. Merejo, Director of Utilities (email)

H:\Stefanie\2012 ordinances

RECEIVED

FEB 06 2012

City Managers Office