

ORDINANCE NO. 2857-11

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 1680 MAGNOLIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED by the People of the City of Winter Park, Florida as follows:

Section 1. The City Commission of the City of Winter Park, Florida hereby vacates and abandons that certain utility easement located at 1680 Magnolia Avenue.

THE WEST 1/2 OF VACATED PHELPS AVENUE LYING ADJACENT TO THE EAST BOUNDARY LINE OF LOT 8, BLOCK C, FLORA PARK 2ND ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK T, PAGE 47, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. (LESS THE EAST 10.00 FEET THEREOF FOR UNDERGROUND ELECTRIC UTILITY)

MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

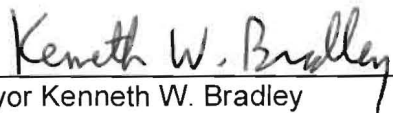
Section 2. The legal description is in reliance on the survey performed by American Surveying and Mapping on May 31, 2011. The City Manager is authorized to execute such curative documents and to record the same as may be necessary to conform the vacation to the accurate legal description of the easement being vacated.

A subsequently recorded vacation of this easement, if any, which is in the nature of a curative document necessary to conform the vacation of the easement to the accurate legal description of the easement being vacated, shall take precedence over the legal description provided for herein, and any subsequently recorded curative document shall control with respect to the legal description of the easement being vacated. An accurate legal description of the easement being vacated is a condition of this vacation of the easement.

Section 3. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 26th day of September, 2011.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham

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Rec Fee: \$10.00
Martha O. Haynie, Comptroller
Orange County, FL
MB - Ret To: BROWN GARGANESE WEISS & D

