

**After Recording Return To:**

City of Winter Park, City Clerk's Office  
401 Park Avenue South  
Winter Park, Florida 32789

DOCH 20150634399 B: 11024 P: 3636  
12/08/2015 10:37:19 AM Page 1 of 2  
Rec Fee: \$18.50  
Martha O. Haynie, Comptroller  
Orange County, FL  
MB - Ret To: CITY OF WINTER PARK - CIT

**ORDINANCE NO. 3015-15**



**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, VACATING AND ABANDONING THE 5 FOOT UTILITY EASEMENT LOCATED ON BLOCK "G" OF THE HOME ACRES SUBDIVISION AND THE 1999 FLORIDA POWER CORPORATION DISTRIBUTION EASEMENT, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Winter Park by custom will vacate and abandon an easement no longer needed for municipal purposes; and

**WHEREAS**, the City has determined that the easement or part thereof is no longer needed by the City of Winter Park; and

**WHEREAS**, all utilities within the defined easement area have been removed.

**NOW THEREFORE, 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, does hereby vacate and abandon that certain utility easement located within Block "G" of the Home Acres Subdivision in Winter Park, Florida, more particularly described and attached as Exhibit "1."

**Section 2.** The City Commission of the City of Winter Park, Florida, does hereby vacate and abandon that certain 1999 Florida Power Corporation distribution easement, as recorded in O.R.B. 5858, Page 2124, of the Orange County Clerk of Court Public Records, being more particularly described as follows:

A 5 foot wide Easement Area defined as comprising the North 5 feet of the following described property.

Lot 13 and the South 25 feet of Lot 12, Block G, HOME ACRES, according to the plat thereof, as recorded in Plat Book M, Page 97, of the Pubic Records of Orange County, Florida.

Tax Parcel Number: 01-22-29-3712-07-130

**Section 3.** The legal description for the distribution easement is based on the grant of the Distribution Easement recorded in O.R.B. 5858, Page 2124, of the Orange County Clerk of Court Public Records; and the legal description for the utility easement is based on the survey performed by William F. Menard. 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 should error exists in the legal description.

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 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 4.** All ordinances or portions of ordinances in conflict herewith are hereby repealed.

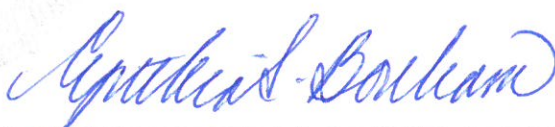
**ADOPTED** by the City Commission of the City of Winter Park, Florida, in a regular meeting assembled on the 12<sup>th</sup> day of October, 2015.



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Mayor Steve Leary

ATTEST:



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Cynthia S. Bonham, City Clerk, MMC

