After Recording Return To: City of Winter Park City Clerk's Office 401 Park Avenue South Winter Park, Florida 32789

ORDINANCE NO. <u>3137-19</u>

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, VACATING AND ABANDONING AN APPROXIMATELY 3,733 SQUARE FOOT PORTION OF A DISTRIBUTION EASEMENT ENCUMBERING PROPERTY LOCATED AT 1700 MONROE AVENUE; BEING A PORTION OF THE DISTRIBUTION EASEMENT RECORDED AT OFFICIAL RECORDS BOOK 3552, PAGES 2600-2601, PUBLIC RECORDS OF ORANGE COUNTY AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE.

WHEREAS, the City of Winter Park is the owner of that certain Distribution Easement recorded at Official Records Book 3552, Pages 2600-2601, Public Records of Orange County, Florida ("Distribution Easement") through assignment from the original grantee (Florida Power Corporation) or its successor entity; and

WHEREAS, the owner of the property located at 1700 Monroe Avenue, Winter Park, Florida, for which the Distribution Easement encumbers, in part, has requested that the City vacate and abandon a portion of the Distribution Easement; and

WHEREAS, the City of Winter Park has authority to adopt this Ordinance by virtue of its home rule powers and Charter with respect to abandoning and vacating easements no longer needed for public purposes; and

WHEREAS, the City Commission has made a determination that the portion of the Distribution Easement being vacated and abandoned by this Ordinance is no longer needed for a municipal or public purpose.

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 the portion of the Distribution Easement located at 1700 Monroe Avenue legally described in that certain legal description and sketch of description attached hereto as **Exhibit** "A". This Ordinance shall not affect the remainder of the Distribution Easement.

Section 2. In the event of any conflict between this Ordinance and any other ordinance or portions of ordinances, this Ordinance controls.

Section 3. After adoption, this Ordinance shall be recorded in the public records of Orange County, Florida.

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 28th day of <u>January</u>, <u>2019</u>.

Mayor Steven Leary

ATTEST.

City Clerk Cynthia S. Bonham

SKETCH OF DESCRIPTION

(THIS IS NOT A SURVEY)

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLÖRIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 22 SOUTH, RANGE 29 EAST; THENCE SO0'59'56"W ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 641.50 FEET; THENCE LEAVING SAID EAST LINE \$89'08'16"W, A DISTANCE OF 391.27' FEET TO THE POINT OF BEGINNING; THENCE CONTINUE \$89'08'16"W, A DISTANCE OF 20.01 FEET; THENCE NO0'47'09"W, A DISTANCE OF 186.65 FEET; THENCE N89'10'41"E, A DISTANCE OF 20.01; THENCE SO0'47'09"W ALONG, A DISTANCE OF 186.63 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING APPROXIMATELY 0.09 ACRE (3,733 SQUARE FEET), MORE OR LESS.

