

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

ORDINANCE 3332-25

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, VACATING AND ABANDONING AN UNIMPROVED 50 FOOT-WIDE PORTION OF THE CYPRESS AVENUE RIGHT OF WAY DEDICATED BY THE PALMETTO COMPANY'S ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "E", PAGE 14, OF THE PUBLIC RECORDS OF ORANGE COUNTY, SAID PORTION TO BE VACATED IS SHOWN HEREON AS EXHIBIT "A" ATTACHED HERETO AND DESCRIBED AS BEING SITUATED BETWEEN ORANGE COUNTY FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-6600-01-600 TOGETHER WITH PARCEL 12-22-29-6600-01-601 ON THE WEST AND FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-6600-01-630 ON THE EAST AND DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE.

WHEREAS, Z 14 BUILDING, LLC ("Applicant") is the fee simple owner of address 1242 Palmetto Avenue AND address 1260 Palmetto Avenue and address 1280 Palmetto Avenue DESCRIBED AS BEING SITUATED BETWEEN ORANGE COUNTY FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-6600-01-600 TOGETHER WITH PARCEL 12-22-29-6600-01-601 ON THE WEST AND FLORIDA TAX PARCEL IDENTIFICATION NUMBER 12-22-29-6600-01-630 ON THE EAST.

WHEREAS, the Applicants have petitioned the City of Winter Park ("City") for the partial vacation and abandonment of the 50 feet wide right-of-way as set forth herein; and

WHEREAS, the 50.00 feet wide right-of-way was dedicated to the public by the PALMETTO COMPANY'S ADDITION TO WINTER PARK, as recorded in Plat Book E, Page 14, Public Records of Orange County, Florida; and

WHEREAS, it has been determined that Applicants have caused the publication of the required notice of intent to vacate pursuant to general law and have paid all outstanding ad valorem taxes for ADDRESSES: 1260 Palmetto Avenue, 1280 Palmetto Avenue and 1242 Palmetto Avenue, Winter Park, Florida;

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

WHEREAS, the City has determined that this portion of Cypress Avenue right-of-way being vacated and abandoned by this Ordinance is no longer needed by the City of Winter Park or for any 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 that certain portion of the 50 feet wide public right-of-way described in **EXHIBIT "A"** attached hereto ("Vacation Area"), subject to a reservation by the City of Winter Park of a perpetual utilities easement over, under and through the Vacation Area for the construction, installation, repair, replacement, reconstruction, maintenance, control, operation, use, and modification of public utilities and facilities, including but not limited to sewer lines, water lines, reclaimed water lines, gas lines, electric lines, cable television lines, telecommunications lines, stormwater drainage lines, fiber optic cables and other public utilities facilities of every type, including without limitation, mains, pipes, inlets, grates, pumps, valves, wires, structures, boxes, manholes, electrical controls, cables and similar appurtenances, including the right of ingress and egress to and from adjacent public rights-of-way for the purposes of the easement.

Section 2. Any error in the legal description or in depiction of the Vacation Area may be corrected by subsequent curative document(s) prepared, executed, and/or recorded by the City Manager and/or his or her designee, if any such error is determined to exist by the City Manager or City Commission.

Section 3. In the event of any conflict between this Ordinance and any other ordinance or portions of ordinances, this Ordinance controls.

Section 4. After adoption, this Ordinance shall be recorded in the public records of Orange County, Florida.

Section 5. 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 12th day of March, 2025.

Sheila DeCiccio, Mayor

ATTEST:

Rene Cranis, City Clerk

NOTES:

- 1) THIS IS A GRAPHIC DEPICTION OF THE RIGHT OF WAY BEING PETITIONED FOR VACATION AND ABANDONMENT OF RIGHT OF WAY.
- 2) THE AREA TO BE VACATED IS SHOWN ON THE GRAPHIC DEPICTION BELOW SUBJECT TO CORRECTIONS BY GROUND SURVEYS.
- 3) THIS DEPICTION IS NOT A SURVEY.

EXISTING RIGHT OF WAY TO BE VACATED:

ALL OF THAT PART OF THE UNIMPROVED RIGHT OF WAY PLATTED AS CYPRESS AVENUE BY THE PALMETTO COMPANY'S ADDITION TO WINTER PARK AS PLATTED IN PLAT BOOK "E", PAGE 14, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA LYING EAST OF PALMETTO AVENUE (AS IT MAY BE AMENDED FROM TIME TO TIME) AND LYING WEST OF THE FLORIDA DEPARTMENT OF TRANSPORTATION SUNRAIL COMMUTER LINE RIGHT OF WAY.



CITY OF WINTER PARK
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
SURVEY SECTION

500 N. Virginia Avenue
Winter Park, Florida 32789
Phone: (407) 599-3233

PREPARED BY THOMAS L. CONNER, CITY SURVEYOR
FLORIDA LICENSED SURVEYOR AND MAPPER 154340

SKETCH OF DESCRIPTION
A PORTION OF CYPRESS AVENUE
RIGHT OF WAY TO BE VACATED

SECTION 12, TWP 22 S, RGE 29 E
CITY OF WINTER PARK, ORANGE COUNTY, FL
PALMETTO VACATE SKETCH AND DESCRIPTION.DWG