

ORDINANCE NO. 4008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING A PORTION OF EAST 20TH STREET, A PORTION OF AVENUE B AND A PORTION OF AVENUE C EXHIBITED ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, CONTAINING 25,202 SQUARE FEET, 0.6 ACRES, MORE OR LESS; PROVIDING CONDITIONS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, Rybovich Riviera Beach, LLC, a division of Rybovich, which owns certain property within the City of Riviera Beach and has requested an abandonment of 25,202 square feet of City owned right-of-way on East 20th Street, Avenue B and Avenue C; and

WHEREAS, Rybovich Riviera Beach, LLC owns all of the property on the north and south side of the rights-of-way; and

WHEREAS, the portions of rights-of-way being requested for abandonment lie within the Community Redevelopment Area of the City of Riviera Beach and the Community Redevelopment Agency Board of Commissioners voted on September 14, 2011 to approve an Escrow Agreement in which they agree that the City should consider abandoning portions of East 20th Street, Avenue B and Avenue C; and

WHEREAS, the City of Riviera Beach City Council voted on September 21, 2011, to approve an Escrow Agreement contemplating the aforementioned abandonment and is willing to vacate said rights-of-way subject to specific concerns and conditions; and

WHEREAS, the City Council has held a public hearing and found that the above referenced rights-of-way should be abandoned as a public rights-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. That the City Council finds that is in the best interests of the City to abandon,

A PORTION OF EAST 20ST STREET, A PORTION OF AVENUE B AND A PORTION OF AVENUE C AS SHOWN ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND NOW LOCATED WITHIN THE CITY OF RIVIERA BEACH

SAID LANDS LYING IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 25,202 SQUARE FEET, 0.6 ACRES, MORE OR LESS.

SECTION 2. That the public rights-of-way as shown in Exhibit "A" and Exhibit "B" described below is hereby abandoned with the condition that an easement or easements be approved by the City Utility District Director for water and sewer lines located within the abandonment area and be recorded by the applicant in the public records of Palm Beach County within 30 days of final approval of the abandonment.

SECTION 3. That the public rights-of-way as shown in Exhibit "A" and Exhibit "B" described below is hereby abandoned on the condition that any building to take place over the abandonment area where water and sewer lines exist that the water and sewer lines will have to be relocated at the applicants expense and a Utility Easement(s) approved by the City's Utility District Director exhibiting the location of the relocated water and sewer lines be recorded by the applicant in the public records of Palm Beach County.

SECTION 4. That the public rights-of-way as shown in Exhibit "A" and Exhibit "B" and described below is hereby abandoned,

A PORTION OF EAST 20ST STREET, A PORTION OF AVENUE B AND A PORTION OF AVENUE C AS SHOWN ON THE "REVISED PLAT OF COCOANUT LODGE" IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND NOW LOCATED WITHIN THE CITY OF RIVIERA BEACH

SAID LANDS LYING IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CONTAINING 25,202 SQUARE FEET, 0.6 ACRES, MORE OR LESS.

SECTION 5. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

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PAGE 3

SECTION 6 All sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall be in full force and effect immediately upon its final passage and approval.


PASSED AND APPROVED on the first reading this 2ND day of NOVEMBER,
2011.

PASSED AND ADOPTED on second and final reading this 16TH day of
NOVEMBER, 2011.

APPROVED:




THOMAS A. MASTERS
MAYOR




JUDY L. DAVIS
CHAIRPERSON


ATTEST:



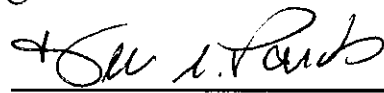
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



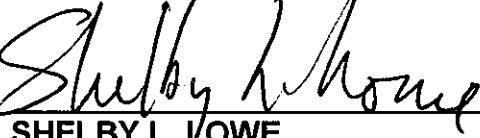
BILLIE E. BROOKS
CHAIR PRO TEM



CEDRICK A. THOMAS
COUNCILPERSON



DAWN S. PARDO
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

1ST READING

MOTIONED BY: D. PARDO

SECONDED BY: C. THOMAS

B. BROOKS AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

S. LOWE AYE

2ND & FINAL READING

MOTIONED BY: D. PARDO

SECONDED BY: B. BROOKS

B. BROOKS AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/26/11

CERTIFICATION OF PUBLICATION

I hereby certify that the notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.



Carrie E. Ward
Master Municipal Clerk
City Clerk

11/16/11
Date

Sketch and Legal Description for: Rybovich Marine Center

Surveyor's Notes

- 1) This sketch and legal description is based on office information only and does not represent a boundary survey.
- 2) This legal description shall not be valid unless:
 - A) Provided in its entirety consisting of 3 sheets, with sheet 3 being the sketch of description.
 - B) Reproductions of the description and sketch are signed and sealed with an embossed surveyor's seal.

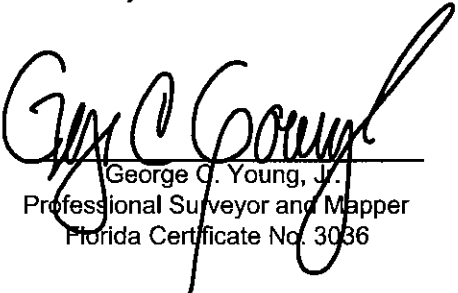
Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)

I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.


I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

10/24/2011
Date of Signature


George C. Young, Jr.
Professional Surveyor and Mapper
Florida Certificate No. 3036

LEGAL DESCRIPTION

2	REVISED DESCRIPTION AND SKETCH	10/24/11	MRW
1	REVISED DESCRIPTION AND SKETCH	10/20/11	MRW
O.	REVISIONS	DATE	BY



INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108

CORPORATE OFFICE: PO BOX 1469 • 1505 SW MARTIN HWY. PALM CITY, FL 34991 (800) 366-1066
TALLAHASSEE OFFICE: 1990 COMMONWEALTH LANE TALLAHASSEE, FL 32305 (850) 536-8455

LEGAL DESCRIPTION FOR:
Rybovich Marine Center
PALM BEACH COUNTY, FLORIDA

Scale: N/A	Date: 9/26/11	File & Drawing No.: 11-1056-01-01
Drawn By: R.L.I.	Checked: G.C.Y.	Sheet 1 of 3

Legal Description


Being a portion of East 20th Street and a portion of Avenue B, as shown on the "Revised Plat of Coconut Lodge" in Government Lot 4, Section 28, Township 42 South, Range 43 East, as recorded in Plat Book 7, Page 52, public records of Palm Beach County, Florida and now located within the City of Riviera Beach, Florida, more particularly described as follows, to wit:

Begin at the Southwest corner of Lot 10, Block 5 of said plat; Thence along the North right-of-way of East 20th Street (a 40 feet platted right-of-way) and the South line of Lots 10, 9, 8, 7, 6, 5 and 1 of said Block 5 a distance of 414.70 feet to the intersection of Avenue B (a 48 feet platted right-of-way as measured at right angles) and the Southeast corner of said Lot 1; Thence Northeasterly along the Westerly right-of-way of said Avenue B and the Easterly boundary of said Lot 1 to the Northeasterly corner of said Lot 1; Thence Southeasterly perpendicular to said right-of-way of Avenue B a distance of 24 feet; Thence Southwesterly along the center line of said Avenue B and parallel to said right-of-way a distance of 10.18 feet to the Westerly prolongation of the South line of the North 24.00 feet of Lot 4, Block 2, of said revised plat of Coconut Lodge; Thence Easterly along said Westerly prolongation of the South line of the North 24.00 feet of Lot 4, Block 2, a distance of 24.97 feet to the Easterly right-of-way line of said Avenue B; Thence Southwesterly along the Easterly right-of-way line of said Avenue B and the West line of said Lot 5, Block 2 to the intersection of the Easterly prolongation of the South right-of-way line of said East 20th Street; Thence Westerly along said Easterly prolongation and the Southerly right-of-way of said East 20th Street a distance of 453.07 feet to the Northwest corner of Lot 7, Block 6 of said Revised Plat of Coconut Lodge and the intersection of the east right-of-way of Avenue C (a 40 feet platted right-of-way); Thence North along a straight line to the Southwest corner of said Lot 10, Block 5 and the Point of Beginning.

Containing 20,682.0 square feet or 0.47 acres, more or less.

LEGAL DESCRIPTION

2	REVISED DESCRIPTION AND SKETCH	10/24/11	MRW
1	REVISED DESCRIPTION AND SKETCH	10/20/11	MRW
10.	REVISIONS	DATE	BY



INCORPORATED

PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108

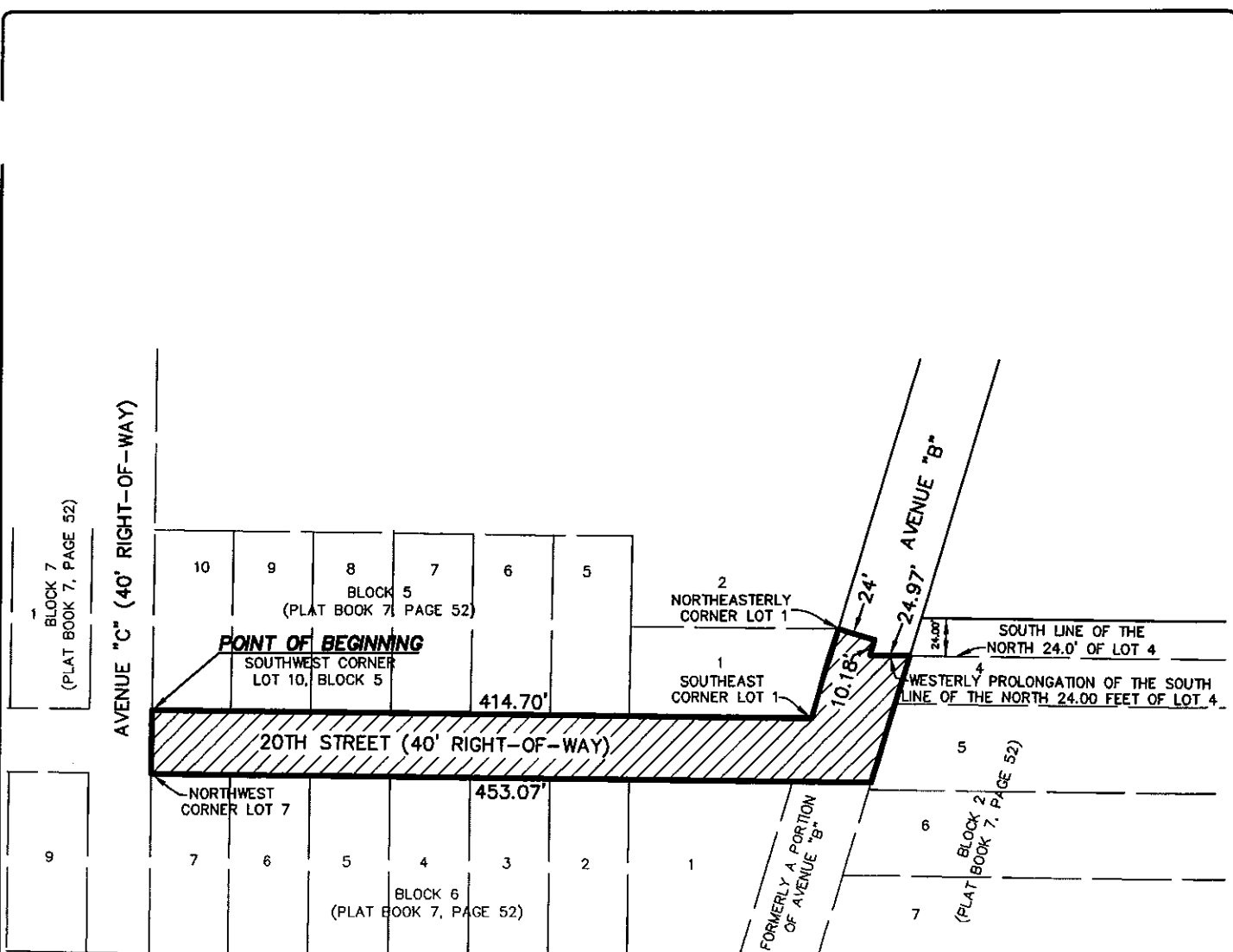
CORPORATE OFFICE: PO BOX 1489 • 1505 SW MARTIN HWY. PALM CITY, FL 34991 (800) 388-1066
TALLAHASSEE OFFICE: 1890 COMMONWEALTH LANE TALLAHASSEE, FL 32303 (850) 536-8455

LEGAL DESCRIPTION FOR:

Rybovich Marine Center

PALM BEACH COUNTY, FLORIDA

Scale:	Date:	File & Drawing No.:
N/A	9/26/11	11-1056-01-01
Drawn By:	Checked:	Sheet
R.L.I.	G.C.Y.	2 OF 3



NOTE: NOT TO SCALE
 This drawing does not represent a boundary survey and is based on office information only.

LEGAL DESCRIPTION

INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
 CERTIFICATE OF AUTHORIZATION LB 4108
 CORPORATE OFFICE: PO BOX 1489 • 1505 SW MARTIN HWY. PALM CITY, FL 34991 (800) 388-1066
 TALLAHASSEE OFFICE: 1900 COMMONWEALTH LANE TALLAHASSEE, FL 32303 (850) 536-8455

LEGAL DESCRIPTION FOR:
Rybovich Marine Center
 PALM BEACH COUNTY, FLORIDA

Scale: N/A	Date: 9/26/11	File & Drawing No.: 11-1056-01-01
Drawn By: R.L.I.	Checked: G.C.Y.	Sheet 3 of 3

	REVISIONS	DATE	BY
2	REVISED DESCRIPTION AND SKETCH	10/24/11	MRW
1	REVISED DESCRIPTION AND SKETCH	10/20/11	MRW
0.			

Sketch and Legal Description for: Rybovich Marine Center

Surveyor's Notes

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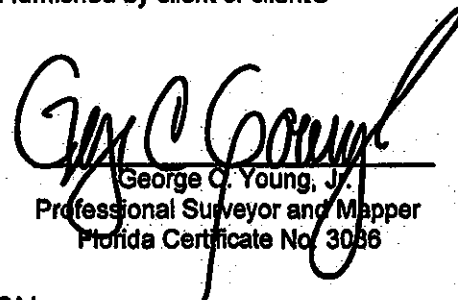
Certification

(Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper)


I hereby certify that the Sketch and Legal Description of the property shown and described hereon was completed under my direction and said Sketch and Description is true and correct to the best of my knowledge and belief.

I further certify that this sketch and description meets the Minimum Technical Standards for Surveys set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida State Statutes. The Sketch and Description is based on information furnished by client or client's representative.

9/26/2011
Date of Signature


George C. Young, Jr.
Professional Surveyor and Mapper
Florida Certificate No. 3086

LEGAL DESCRIPTION

NO.	REVISIONS	DATE	BY	 INCORPORATED PROFESSIONAL SURVEYORS AND MAPPERS CERTIFICATE OF AUTHORIZATION LB 4100 CORPORATE OFFICE: PO BOX 1422 • 1525 SW MARTIN HWY. PALM CITY, FL 34901 (888) 288-1000 TALLAHASSEE OFFICE: 1000 COMMERCIAL LANE TALLAHASSEE, FL 32303 (904) 838-9488				LEGAL DESCRIPTION FOR: Rybovich Marine Center PALM BEACH COUNTY, FLORIDA		Scale: N/A	Date: 9/26/11	File & Drawing No.: 11-1058-01-01
								Drawn By: R.L.L.	Checked: G.C.Y.	Sheet 1 of 3		

Legal Description

BEING A PORTION OF AVENUE C (A 40 FEET PLATTED RIGHT-OF-WAY), AS SHOWN ON THE REVISED PLAT OF COCOANUT LODGE IN GOVERNMENT LOT 4, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND NOW LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS,

TO WIT:

ALL THAT RIGHT-OF-WAY OF SAID AVENUE C LYING SOUTH OF THE SOUTHERLY RIGHT-OF-WAY OF EAST 20TH STREET.

CONTAINING 4,520 SQUARE FEET OR 0.10 ACRE, MORE OR LESS.

LEGAL DESCRIPTION

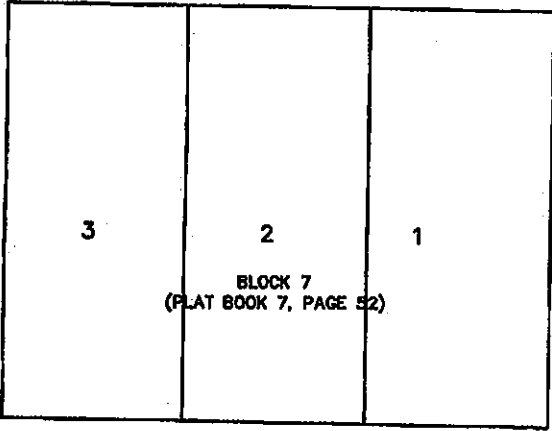


INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
 CERTIFICATE OF AUTHORIZATION LB 4168
 CORPORATE OFFICE: PO BOX 1429 • 1524 SW MARTIN HWY. • TALLAHASSEE FL 32303 (904) 536-1000
 TALLAHASSEE OFFICE: 1000 COMMONWEALTH LANE • TALLAHASSEE FL 32303 (904) 536-8488

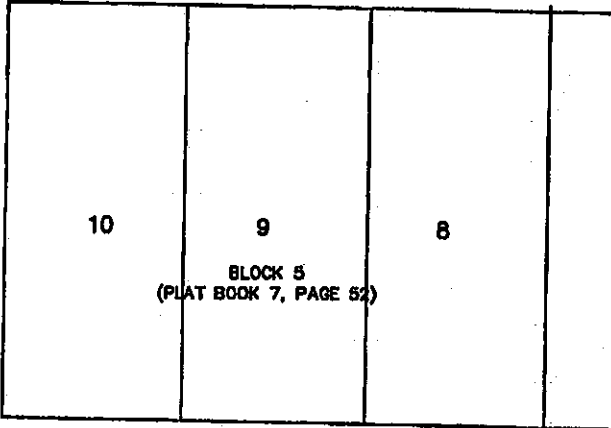
LEGAL DESCRIPTION FOR:
Rybovich Marine Center
 PALM BEACH COUNTY, FLORIDA

Scale: N/A	Date: 9/28/11	File & Drawing No.:
Drawn By: R.L.I.	Checked: G.C.Y.	Sheet: 2 of 3

NO.	REVISIONS	DATE	BY

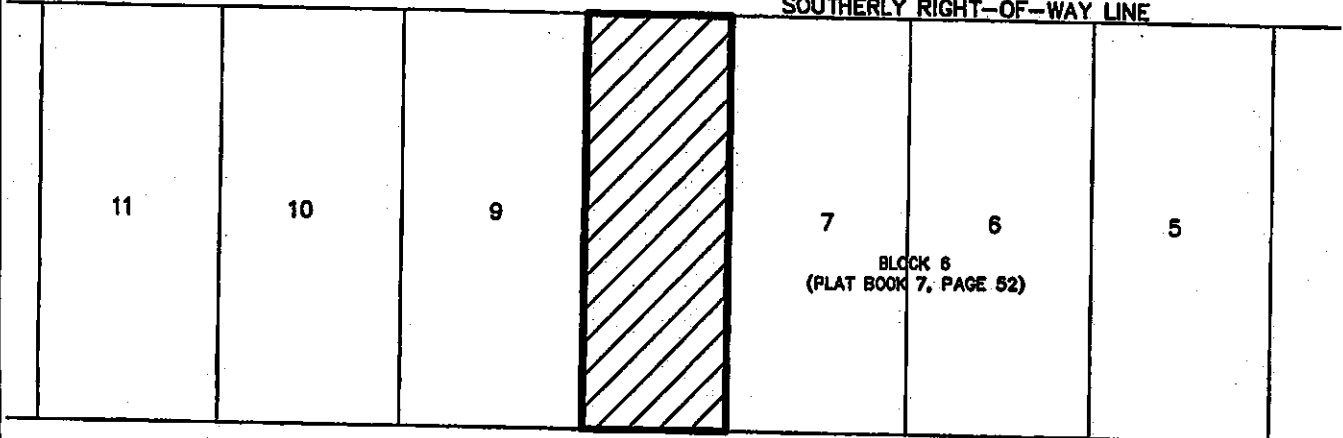


AVENUE "C" (40' RIGHT-OF-WAY)



20TH STREET (40' RIGHT-OF-WAY)

SOUTHERLY RIGHT-OF-WAY LINE



NOT TO SCALE

NOTE:
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LEGAL DESCRIPTION

INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATE OF AUTHORIZATION LB 4108

CORPORATE OFFICE: PO BOX 1408 • 11205 SW MARTIN HWY. • PALM CITY, FL 34981 • (888) 368-1088
TALLAHASSEE OFFICE: 1800 COMMONWEALTH LANE • TALLAHASSEE, FL 32303 • (904) 838-8488

LEGAL DESCRIPTION FOR:
Rybovich Marine Center
PALM BEACH COUNTY, FLORIDA

Scale:	Date:	File & Drawing No:
N/A	9/28/11	
Drawn By:	Checked:	Sheet
R.L.L.	G.C.Y.	3 of 3

NO.	REVISIONS	DATE	BY