

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING THE UNDEVELOPED RIGHT-OF-WAY KNOWN AS PERRY STREET, A 40 FOOT WIDE STRIP OF LAND BEING A PORTION OF CORRECTED PLAT OF THE 3<sup>RD</sup> ACREHOME PARK ADDITION TO KELSEY CITY, AS RECORDED IN PLAT BOOK 15, PAGE 17 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING IN SECTION 29, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CONTAINING APPROXIMATELY 18,905.27 SQUARE FEET (0.43 ACRE), ADJACENT TO AND SURROUNDED BY THE REAL PROPERTY ADDRESSED AS 1621 WEST BLUE HERON BOULEVARD, PARCEL CONTROL NUMBER 56-43-42-29-04-007-0181; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, the City of Riviera Beach has requested abandonment of an undeveloped right-of-way known as Perry Street (AB-18-02), which runs east and west through the center of the existing Barracuda Bay Aquatic Complex parcel, and is approximately 18,905.27 square feet in area (0.434 acre); and

**WHEREAS**, this abandonment request is desired by the City in order to facilitate the construction of a new 12,490 square-foot fire station and a 648 square-foot event building within the Barracuda Bay Aquatic Complex; and

**WHEREAS**, the Planning and Zoning Board reviewed the abandonment request on January 24, 2019 and recommended approval to the City Council; and

**WHEREAS**, the City Council supports the abandonment of the undeveloped public right-of-way, described within attached Exhibit 'A', which is required to construct a 12,490 square foot fire station and add a new 648 square foot event building; and

**WHEREAS**, the City Council of the City of Riviera Beach has found that the abandonment of the undeveloped right-of-way promotes the health, safety and welfare of the general public.

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

**SECTION 1.** The City Council of the City of Riviera Beach finds that the abandonment of the undeveloped right-of-way known as Perry Street, promotes the health safety and welfare of the general public.

**SECTION 2.** The right-of-way area to be abandoned has been described below, and the sketch and legal description has been attached hereto and made a specific part of this resolution as Exhibit 'A':

A 40.00 FOOT WIDE STRIP OF LAND BEING A PORTION OF CORRECTED PLAT OF THE 3<sup>RD</sup> ACREHOME PARK ADDITION TO KELSEY CITY, AS RECORDED IN PLAT BOOK 15, PAGE 17 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. CONTAINING 18,905.27 SQUARE FEET, OR 0.434 ACRES MORE OR LESS.

**SECTION 3.** The undeveloped right-of-way known as Perry Street, as described in Section 1 and Exhibit 'A', is hereby abandoned.

**SECTION 4.** The City finds that it is in the best interest of the health, safety and welfare of the public to abandon the right-of-way referenced herein.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 6.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 7.** This Ordinance shall take effect immediately upon final passage and adoption.

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**PASSED AND APPROVED** on the first reading this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

**PASSED AND ADOPTED** on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

**APPROVED:**

\_\_\_\_\_  
**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**TONYA DAVIS JOHNSON**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**LYNNE L. HUBBARD**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY,**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**COUNCILPERSON**

\_\_\_\_\_  
**JULIA A. BOTEL**  
**COUNCILPERSON**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**COUNCILPERSON**

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**1<sup>ST</sup> READING**

**2<sup>ND</sup> & FINAL READING**

MOTIONED BY: \_\_\_\_\_

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

L. HUBBARD \_\_\_\_\_

L. HUBBARD \_\_\_\_\_

K. MILLER-ANDERSON \_\_\_\_\_

K. MILLER-ANDERSON \_\_\_\_\_

T. DAVIS JOHNSON \_\_\_\_\_

T. DAVIS JOHNSON \_\_\_\_\_

J. BOTEL \_\_\_\_\_

J. BOTEL \_\_\_\_\_

T. DAVIS \_\_\_\_\_

T. DAVIS \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
DAWN S. WYNN, CITY ATTORNEY

DATE: \_\_\_\_\_