

## ORDINANCE 2025-21

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE 20 FOOT WIDE DRAINAGE RIGHT-OF-WAY, LYING NORTH OF LOTS 7 AND 20, AND LYING SOUTH OF LOTS 8 AND 19, BLOCK 2051, PORT MALABAR UNIT 46, AS RECORDED IN PLAT BOOK 22, PAGES 58-74, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Phillip and Kristi Silver have requested the City of Palm Bay, Florida, to vacate a portion of the drainage right-of-way lying North of Lots 7 and 20, and lying South of Lots 8 and 19, Block 2051, Port Malabar Unit 46, which portions are legally described herein, and

**WHEREAS**, the City Council finds as follows: (1) the vacation of said drainage right-of-way is consistent with the Infrastructure Element of the City's Comprehensive Plan; (2) the city reserves a 20 foot wide Public Utilities and Drainage Easement over the vacated portion of the drainage right-of-way; (3) the vacation does not jeopardize the current or future location of any utility; and (4) the vacation is not detrimental to the public interest.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** Pursuant to Section 172.071, Palm Bay Code of Ordinance, the City of Palm Bay hereby vacates a portion of the drainage right-of-way, while at the same time reserving a Public Utilities and Drainage Easement, lying North of Lots 7 and 20, and lying South of Lots 8 and 19, Block 2051, Port Malabar Unit 46, as recorded in Plat Book 22, Pages 58-74, of the Public Records of Brevard County, Florida, being more particularly described as follows:

Beginning at the Westerly corner of Lot 19, Block 2051, proceed thence S 71°50'00" E for a distance of 125.00 feet; Thence S 18°10'00" W, for a distance of 20.00 feet, Thence N 71°50'00" W, for a distance of 125.00 feet; Thence N 18°10'00" E, for a distance of 20.00 feet to the Point of Beginning, being a portion of the 20' wide drainage right-of-way as shown on the Plat of Port Malabar Unit Forty Six, according to the plat thereof, recorded in Plat Book 22, pages 58 through 74, inclusive, of the public records of Brevard County Florida. Containing 2,500 square feet or 0.057 acres, more or less.

Read in title only at Meeting 2025-XX, held on \_\_\_\_\_, 2025; and read in title only and duly enacted at Meeting 2025-XX, held on \_\_\_\_\_, 2025.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

Applicant: Phillip and Kristi Silver

Case: VRW-1-2025

cc: Brevard County Recording  
Applicant  
Case File