

## **ORDINANCE 2024-53**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE REAR AND SIDE TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS, LOCATED WITHIN LOT 4, BLOCK 2408, PORT MALABAR UNIT 45, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE 12, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Eric Anthony and Cynthia Ann Marrero have requested the City of Palm Bay, Florida, to vacate a portion of a certain public utility and drainage easement, which portion is legally described herein, and

**WHEREAS**, the vacation and abandonment of said portion of the public utility and drainage easement shall not in any manner affect utility equipment or services already installed in the easement or the right to thereafter maintain and operate the equipment and services in the easement.

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

**SECTION 1.** The City Council of the City of Palm Bay, pursuant to Section 179.047, Palm Bay Code of Ordinances, hereby vacates and abandons a portion of the rear and side public utility and drainage easements located within Lot 4, Block 2408, Port Malabar Unit 45, according to the plat thereof as recorded in Plat Book 22, Page 12, of the Public Records of Brevard County, Florida, Section 30, Township 28S, Range 37E, being more particularly described as follows:

Commencing at the North corner of said Lot 4 and run S 47°23'26" W along the Southerly right-of-way line of Naylor Street, a distance of 12.00 feet to the point of

beginning of the herein described easement; thence S 42°36'34" E, a distance of 113.00 feet; thence S 47°23'26" W, a distance of 122.00 feet; thence N 42°36'34" W, a distance of 8.00 feet; thence N 47°23'26" E, a distance of 114.00 feet; thence N 42°36'34" W, a distance of 105.00 feet to the Southerly right-of-way line of Naylor Street; thence N 47°23'26" E along said right-of-way line, a distance of 8.00 feet to the point of beginning; containing 1,816 square feet or 0.04 acres, more or less.

**SECTION 2.** The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2024- , held on , 2024; and read in title only and duly enacted at Meeting 2024- , held on , 2024.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

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

Applicant: Eric and Cynthia Marrero  
Case: VE-9-2024

cc: Applicant  
Case File  
Brevard County Recording