

ORDINANCE 1436

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA; VACATING AN DISCONTINUING AN EASEMENT RUNNING ACROSS THE LOT LOCATED AT 257 LULLWATER DRIVE AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; ACCEPTING DEDICATION OF A DRAINAGE EASEMENT OF COMPARABLE SIZE ON THE NORTHERN PROPERTY LINE OF THE LOT LOCATED AT 257 LULLWATER DRIVE, AS MORE PARTICULARLY STATED IN THE BODY OF THE ORDINANCE; VESTING UNENCUMBERED FEE SIMPLE TITLE IN VACATED EASEMENT IN PERSONS, FIRMS AND CORPORATIONS AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Elizabeth E. Bradberry and Cindy Bradberry West have dedicated for drainage purposes, to be used as such, that certain strip or parcel of land owned by them in fee simple title and described as follows, to wit:

THE NORTHERLY 7.5' OF LOT 10, BLOCK 33, EL CENTRO BEACH, AS SUCH LOT IS DEPICTED ON PLAT OF EL CENTRO BEACH ON FILE IN BAY COUNTY PLAT BOOK 9, PAGE 8.

WHEREAS, the condition of the dedication and granting of the easement above described by Elizabeth E. Bradberry and Cindy Bradberry West, is that the City of Panama City Beach vacate and discontinue that drainage easement hereinafter described in the body of this Ordinance; and

WHEREAS, the City Council has examined the plat reflecting the lands described in this Ordinance, is otherwise acquainted with the property involved, and is satisfied that the acceptance of said dedication and the vacating and discontinuing of the drainage easement hereinafter described is for the best interest of the City; and it appearing that the passage of this ordinance is for the preservation of and will promote the public peach, health, prosperity, morale and general welfare, now therefore

BE IT ORDAINED by the City of Panama City Beach, that:

Section 1. The dedication by Elizabeth E. Bradberry and Cindy Bradberry

West of a drainage easement, to be used as such, of that certain strip or parcel of

land more particularly described above and in Exhibit A attached hereto, be, and such dedication and grant of easement is, hereby accepted on behalf of the City and the public.

Section 2. That the following described drainage easement, to-wit:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 33, EL CENTRO BEACH; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF LULLWATER DRIVE FOR A CHORD DISTANCE OF 62.5 FEET TO THE POINT OF BEGINNING; THENCE S71° 02-1/2'E FOR 148.71 FEET, MORE OR LESS, TO THE EDGE OF LULLWATER LAKE; THENCE SOUTHERLY, OR SOUTHWESTERLY ALONG SAID LAKE TO APPOINT 7-1/2 FEET DISTANCE FROM THE AFORESAID LINE BEARING S71° 02-1/2"E WHEN MEASURED ON A LINE PERPENDICULAR TO IT, RUN THENCE NORTH 71° 02-1/2'W PARALLEL TO AND ALWAYS 7-1/2 FEET DISTANT FROM THE AFORESAID LIEN TO RIGHT OF WAY OF LULLWATER DRIVE; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

be, and the same is hereby, closed, vacated and discontinued, and the rights of the public in and to same are abandoned.

Section 3. That the title to said real estate described in Section 2 hereof is hereby vested in persons, firms and corporations according to law.

Section 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 5. The appropriate officers and agents of the City are authorized and directed to record this Ordinance in the Official Records of Bay County, Florida, within 10 days of the adoption of this Ordinance.

Section 6. This ordinance shall take effect as provided by law.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this ____ day of _____, 2017.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2017.

MAYOR

Published in the _____ on the ____ day of _____, 2017.

Posted on pcbgov.com on the ____ day of _____, 2017.

DEDICATION AND EASEMENT

STATE OF FLORIDA
COUNTY OF BAY

FOR AN IN CONSIDERATION of One Dollar and the remaining consideration stated, [], being the owners of full fee simple title to the land herein described and dedicated, do hereby dedicate for public use and benefit to the extent as dedicated in that certain instrument recorded March 14, 1974, in Bay County Official Records Book 460, page 81, the following described parcel of land, to-wit:

THE NORTHERLY 7.5' OF LOT 10, BLOCK 33, EL CENTRO BEACH, AS SUCH LOT IS DEPICTED ON PLAT OF EL CENTRO BEACH ON FILE IN BAY COUNTY PLAT BOOK 9, PAGE 8.

And do give and grant to the public an easement for drainage across and along said strip of land.

This dedication is made and given in return for City of Panama City Beach, Florida, a municipality under the laws of Florida, as the appropriate governmental authority, vacating, closing and discontinuing that certain dedication recorded in Bay County Official Records Book 460, page 81, of a drainage easement described as follows, to-wit:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 33, EL CENTRO BEACH; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF LULLWATER DRIVE FOR A CHORD DISTANCE OF 62.5 FEET TO THE POINT OF BEGINNING; THENCE S71° 02-1/2'E FOR 148.71 FEET, MORE OR LESS, TO THE EDGE OF LULLWATER LAKE; THENCE SOUTHERLY, OR SOUTHWESTERLY ALONG SAID LAKE TO APPOINT 7-1/2 FEET DISTANCE FROM THE AFORESAID LINE BEARING S71° 02-1/2"E WHEN MEASURED ON A LINE PERPENDICULAR TO IT, RUN THENCE NORTH 71° 02-1/2'W PARALLEL TO AND ALWAYS 7-1/2 FEET DISTANT FROM THE AFORESAID LIEN TO RIGHT OF WAY OF LULLWATER DRIVE; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

[SIGNATURES ON FOLLOWING PAGE]

Exhibit A

IN WITNESS WHEREOF, the Grantors have executed this Dedication and Easement this
___ day of _____, 2017.

Signed, sealed and delivered
in the presence of:

GRANTOR

(Signature of Witness)
Print Name:

(Signature of Witness)
Print Name: _____

_____*

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this ___ day of _____, 2017,
by _____,

- () who is personally known to me.
- () who produced _____ as identification.

Signature of Notary Public