



Legislation Details (With Text)

File #: 20-0237

Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 12/17/2019 **Final action:**

Title: ADOPTION OF A RESOLUTION ABANDONING A PORTION OF UNOPENED SE FRONT STREET LYING WITHIN THE PLAT OF PORT SALERNO

Sponsors:

Indexes:

Code sections:

Attachments: 1. SE Front Street - Resolution.pdf, 2. SE Front Street - Exhibit A.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

ADOPTION OF A RESOLUTION ABANDONING A PORTION OF UNOPENED SE FRONT STREET LYING WITHIN THE PLAT OF PORT SALERNO

EXECUTIVE SUMMARY:

The Board previously held a Public Meeting to consider an application for the abandonment of a portion of platted SE Front Street right-of-way. The Board agreed to the abandonment and a waiver of the required privilege fee. This is an administrative action to adopt a resolution abandoning that portion of platted SE Front Street.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Thomas Walker, Jr., PSM
Title: County Surveyor

REQUESTED BY: The Port Salerno Church of God, Inc.

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

The Board previously held a Public Hearing on December 3, 2019 to consider an application by The Port Salerno Church of God, Inc. for the abandonment of a portion of platted SE Front Street right-of-way as described in Exhibit "A". At that time, any and all persons desiring to be heard regarding this matter were given an opportunity to present their views to the Board. The Board determined that the right-of-way described in Exhibit "A" was not needed as part of the County's road system, that

vacating and abandoning said right-of-way would not be contrary to the public interest and that no property owner will be denied access to their property as a result of this abandonment. Furthermore, the Board received and filed the Agenda Item Summary and all attachments for the record and believed historic actions and benefit of the organization (Port Salerno Church of God, Inc.) is showing good cause (waving the privilege fee). This is a request to adopt a resolution to finalize the right-of-way abandonment.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board adopt the Resolution abandoning a portion of unopened SE Front Street lying within the Plat of Port Salerno subject with the following conditions precedent:
Proper publication of a Notice of Adoption of this Resolution;
2. Move that the Board authorize the Chairman to execute all documents necessary to complete the transaction.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and direct staff.

FISCAL IMPACT:

RECOMMENDATION

None.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☐ Other:

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