

ORDINANCE 2011-21

(Vacation of alley East of 4th Street – 402 E. Park Ave.)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, CLOSING, VACATING, RENOUNCING, AND DISCLAIMING ANY RIGHTS OF THE CITY AND THE PUBLIC IN AND TO AN ALLEY LYING EAST OF FOURTH STREET AS SHOWN ON "ATTACHMENT A" AND SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Associate Reformed Presbyterian Church of Lake Wales, owner of the property at 402 E. Park Ave., has requested that the City of Lake Wales, Florida (the "City") vacate the alley shown on "Attachment A;" and

WHEREAS, public use of the alley was curtailed in 1936 when, according to the records of the Property Appraiser of Polk County, a garage was built straddling the alley and a replacement alley was created southward of the alley which is the subject of this ordinance; and

WHEREAS, no record of an action by the City of Lake Wales vacating the alley has been found; and

WHEREAS, there are no City utilities located within the alley, and

WHEREAS, the owner has agreed to dedicate the south 7.5 feet of the west half of Lot 9 to the City for the replacement alley, such dedication to be recorded contemporaneous with this ordinance; and

WHEREAS, electric, telephone, and cable providers serving the area have notified the City that they have no utilities within the alley proposed for vacation; and


WHEREAS, notice of Hearing has been duly published for the adoption of this ordinance and the City Commission has received input from all interested parties as to the advisability of taking this action and has determined that the proposed action will not interfere with any present road system and will not deprive any person of a reasonable means of ingress and egress to his premises.

NOW, THEREFORE, BE IT ENACTED that the City of Lake Wales, by and through its City Commission, does hereby renounce and disclaim any interest of the City of Lake Wales and the public, in and to that certain alley shown on "Attachment A" and specifically described as follows:

A 15-foot wide alley parallel to and approximately 150 feet south of Park Ave. E., extending approximately 90 feet eastward from 4th Ave. E., said alley lying south of Lot 8 and the west ½ of Lot 7, and north of the west ½ of Lot 9 of Block 34, Original Town of Lake Wales, Plat Book 1, Page 88A, public records of Polk County, Florida.

This ordinance shall become effective immediately upon adoption.

CERTIFIED AS TO PASSAGE this 20th day of September 2011



Mayor

ATTEST:



City Clerk

