

Ordinance 2017-14

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR A REPLAT OF A PORTION OF LOTS 11 AND 12 AND LOTS 13, 14, 15, AND 16 OF A REPLAT OF ST. PETERSBURG BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 28 AND 29 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA LYING IN SECTION 36, TOWNSHIP 31 SOUTH, RANGE 15 EAST, CITY OF ST. PETERSBURG BEACH, PINELLAS COUNTY, FLORIDA, MORE FULLY DETAILED IN THE ATTACHED SURVEY; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the record owners of the real property having an address at 7200 and 7210 Gulf Boulevard, St. Pete Beach, Florida, 0.5623 acres more or less (“subject property”), have requested the aggregation of a portion of lots 11 and 12, and lots 13, 14, 15 and 16 into one platted lot (“Lot 1”); and

WHEREAS, the City’s professional surveyor has reviewed the application and proposed replat survey, and has found it legally sufficient for final approval by the City Commission; and

WHEREAS, the City Commission has found that the replat application meets all the criteria for approval of the requested replat, that it will not increase density, and that it will be in the best interest of the citizens of the City of St. Pete Beach for the application to be granted; and

WHEREAS, all property owners within 300 feet have been notified pursuant to Section 3.4(b)(3) of the St. Pete Beach Land Development Code.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The City of St. Pete Beach, Florida, hereby replats a portion of lots 11 and 12 and all of lots 13, 14, 15 & 16, as recorded in plat book 5, pages 28 & 29 of the public records of Pinellas County, Florida, into Lot 1 as shown on that certain survey filed with the City by the applicant for such purposes, as more particularly described in the legal description set forth in Exhibit “A” attached hereto.

SECTION 3. The City of St. Pete Beach makes no warranties of any kind as to the title or ownership of the property being re-platted, or as to the existence of any liens, easements or encumbrances against the same. This Ordinance shall only be construed to release any legal or equitable interest the City may have in the subject property. Nothing contained herein shall be

construed to affect the rights of parties having an interest in the subject property, except to the extent provided in this Ordinance and allowed by law.

SECTION 4. Nothing contained herein shall be construed to alter the application of all City laws, regulations and Ordinances to the subject property.

SECTION 5. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 6. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: 08/08/2017
PUBLISHED: 08/11/2017
SECOND READING: 08/22/2017
PUBLIC HEARING: 08/22/2017



Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 22nd day of August 22, 2017



Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:



City Attorney
Andrew Dickman, Esq.

Exhibit A
Morrissey Commercial Center
Replat

A PORTION OF LOTS 11 AND 12 AND LOTS 13, 14, 15, AND 16, BLOCK 46, OF REPLAT OF ST.PETERSBURG BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 28 AND 29, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 16, BLOCK 46, REPLAT OF ST. PETERSBURG BEACH, SAID POINT ALSO BEING THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF GULF BOULEVARD AND THE NORTHERLY RIGHT OF WAY LINE OF 72ND AVENUE; THENCE RUNS.61°23' 59" W.,ALONG SAID NORTHERLY RIGHT OF WAY LINE OF 72ND AVENUE, FOR 116.80 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE, N.23°49'03" W, FOR 165.17 FEET; THENCE S.62°06'24" W FOR 34.64 FEET; THENCE N.28°44'42" W FOR 50.05 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF 73RD AVENUE; THENCE N.61°14' 19" E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 132.53 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF GULF BOULEVARD; THENCE S.30°00'00" E., ALONG SAID WESTERLY RIGHT OF WAY LINE, FOR 215.50 FEET TO SAID SOUTHEAST CORNER OF LOT 16 AND THE POINT OF BEGINNING. CONTAINING 0.5623 ACRES MORE OR LESS.

