

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES PURSUANT TO ZONING CODE ARTICLE 3, DIVISION 12, "ABANDONMENT AND VACATIONS", PROVIDING FOR THE VACATION OF A TWENTY (20') FOOT ALLEY BETWEEN LOTS, 1-4 AND A PORTION OF LOT 44, LOTS 45-48 INCLUSIVE, BLOCK 34, CORAL GABLES SECTION "K" AND ESTABLISHMENT OF A NEW VEHICULAR TURNAROUND ON LOTS 42-44; AND CREATION OF TWO (2), SIXTEEN (16') FOOT PUBLIC ACCESS EASEMENTS ON LOTS 12-16, BLOCK 34, CORAL GABLES SECTION "K", TO ACCOMMODATE PUBLIC ACCESS TO THE REMAINING PORTIONS OF THE TWENTY (20') FOOT ALLEY WITHIN BLOCK 34; THE VACATION IS NECESSARY TO ALLOW FOR THE CONSTRUCTION OF VARIOUS IMPROVEMENTS FOR THE CITY OWNED PROPERTY KNOWN AS THE "CORAL GABLES MUSEUM", LEGALLY DESCRIBED AS LOTS 1-4, 42-48, AND VACATED PORTION OF THE ALLEY, BLOCK 34, CORAL GABLES SECTION "K" (285 ARAGON AVENUE), CORAL GABLES, FLORIDA; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE (ALL LEGAL DESCRIPTIONS ON FILE FOR REVIEW).

WHEREAS, Application No. 04-09-083-P has been submitted for the vacation of public alleyway and easement dedication required for the "Coral Gables Museum" project, legally described as Lots 1-4, 42-48 and adjacent alleyway, Block 34, Section "K" (285 Aragon Ave), Coral Gables, Florida; and,

WHEREAS, the proposed vacation of public right-of-way is required to allow the construction of an enclosed walkway connector for the Coral Gables Museum to cross the existing alleyway that bisects the site; and,

WHEREAS, easements are dedicated to replacement public access for the alleyway north onto Giralda Avenue, and for a vehicular turnaround will be provided; and,

WHEREAS, as required by the City Code, the proposed public right-of-way vacations and dedications have been reviewed by the Public Works Department, and on May 8, 2009 by the Development Review Committee (DRC) at a special meeting at which the Committee had no objections to the proposed public right-of-way vacation and dedications; and,

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on May 13, 2009, at which hearings all interested persons were

afforded the opportunity to be heard; and,

WHEREAS, at the Planning and Zoning Board's May 13, 2009 meeting, the Board recommended approval of the proposed alleyway vacation and easement dedications (vote: __-__); and,

WHEREAS, the City Commission held a public hearing on _____, 2009 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading (vote: __-__).

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing 'WHEREAS' clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The request for public right-of-way vacation and easement dedications for the City owned property referred to as the "Coral Gables Museum", legally described as Lots 1-4, 42-48 and adjacent alleyway (285 Aragon Ave), Block 34, Section "K", Coral Gables, Florida, as set forth in Application No. 04-09-083-P, shall be and are hereby _____.

SECTION 3. That it is the intention of the City Commission that each provision hereof be considered severable, and that the invalidity of any provision of this Ordinance shall not affect the validity of any other portion of this Ordinance, the Coral Gables Comprehensive Land Use Plan, or the Coral Gables Zoning Code.

SECTION 4. All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

SECTION 5. All ordinance or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 6. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 7. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 8. That this Ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2009.

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ
CITY ATTORNEY

N:\Ordinances\05 13 08 PZB ORD Alley vacation and easement dedications.doc