

## CITY OF CORAL GABLES, FLORIDA

## ORDINANCE NO 3315

**AN ORDINANCE VACATING WEST 100 FEET OF EAST/WEST ALLEY LYING BETWEEN LOTS 1-4 AND 43-46 BLOCK 10, CRAFTS SECTION, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 10 AT PAGE 40 OF PUBLIC RECORDS OF DADE COUNTY FLORIDA, PROVIDING FOR SUBSTITUTE ALLEY, SETTING FORTH TERMS AND CONDITIONS, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH**

WHEREAS, the purpose of this Ordinance is to vacate a portion of the east/west alley in Block 10, crafts Section, more particularly described herein and to provide a substitute alley as described herein, and

WHEREAS, the street and Alley vacation Committee at a meeting held on January 13, 1998 recommended the vacation of such portion of alley, and

WHEREAS, it is felt that the vacation of said alley and the provision of the substitute alley are in the interest of public health, safety, order, convenience, comfort, prosperity and general welfare, and

WHEREAS, the City Commission held a public hearing on February 17, 1998, to consider the vacation of said alley at which hearing all interested persons were afforded the opportunity to be heard, and the proposed ordinance was approved on first reading,

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

SECTION 1 That a portion of the east/west alley 20 feet in width lying between Lots 1-4 and 43-46, Block 10, Crafts Section, coral Gables, Florida, and being more particularly hereinafter described shall be and it is hereby vacated, abandoned and discontinued for the purpose for which it was dedicated to public use subject to the terms and conditions as hereinafter set forth

Begin at the Southwest corner of said Lot 1, thence run N88° 45' 20" E, along the South lines of said Lots 1 thru 4, for 100 06 feet to the Southeast corner of said Lot 4, thence run S00° 02' 36" w, along the Southerly extension of the East line of said Lot 6, for 20 00 feet to the Northeast corner of said Lot 43, thence run S88° 45' 20"W, along the North lines of said Lots 46 thru 46, for 100 07 feet to the Northwest corner of said Lot 46, thence run N00° 04' 11"E, along the Northerly extension of the west line of said Lot 46, for 20 01 feet to the Point of Beginning

SECTION 2 That the alley herein vacated shall be subject to the following terms and conditions

(a) That the owner of record, by proper instrument, shall grant a substitute public alley to the City of coral Gables and any and all applicable utility companies to be used for utility purposes including storm and sanitary sewers and for use as a passageway for City vehicles and the general public Said dedicated alley being legally described as follows

A portion of Lots 7 and 8, Block 10, of the Plat of coral cables Crafts section, as recorded in Plat Book 10, at Page 40 of the Public Records of Dade County, Florida, lying and being in Coral Gables, Dade County, Florida, and being more particularly described as follows

Commence at the Southwest corner of said Lot 7, thence run N88° 45' 20"E, along the South line of said Lot 7, for 1 51 feet to the Point of Beginning, thence run N00° or 24"E, parallel to and 23 5 feet Westerly of, as measured at right angles to, the East line of said Lot 7, for 100 00 feet, thence run N88° 45' 06"E, along the North line of said Lot 7, for 20 00 feet, thence run S00° or 24"W parallel to and 3 50 feet Westerly of, as measured at right angles to the East line of said Lot 7, for 85 00 feet, thence run S45° 36' 04"E for 20 97 feet, thence run S88° 45' 20"W, along the south line of said Lots 8 and 7 for 35 00 feet to the point of Beginning

- (b) That the dedicated alley described hereinabove in Section 2(a) shall be constructed in accordance with the specifications of the Public works Department of the City and the plans for such construction shall be submitted to and shall be subject to approval by the Public Works Department. The permits and inspections for such construction shall be handled in the same manner as the paving for streets and alleys
- (c) That the City shall have the right to exercise the same control over the dedicated alley described heremabove in section 2 (a) and the acceptance and approval of such substitute shall in no way relieve the applicant from complying with any and all regulations pertaining to alleys including but not limited to the building, zoning and other applicable regulations
- (d) That the dedicated alley described heremabove in Section 2 (a) shall at all times be kept free and clear of any and all encroachments and obstructions, including but not limited to, motor vehicles, trucks, trailers, debris, stoops, waste containers, and the like, and the City shall have the authority to monitor and enforce same
- (e) That a vertical clearance extending the full length and width of the dedicated alley shall be provided above the dedicated alley described heremabove in Section 2 (a)
- (f) That the City shall be compensated by the Applicant in an amount equal to the revenue loss for the permanent removal of the parking spaces along Valencia Avenue on an annual basis paid one year in advance
- (g) That easement rights shall be granted to the affected utilities in the vacated alley described hereinabove in section 1 of this ordinance
- (h) That the costs of removal and/or relocation of any and all utilities, including storm and sanitary sewers, installation of any required drainage facilities, removal of curbs or abandoned concrete approaches and sidewalks and the paving and construction of the substitute alley heremabove described shall be borne by the applicant, whose action necessitates such expense

(i) That the use of the vacated property shall be limited to the same uses to which the adjacent properties are zoned

(j) That the reversionary rights to the portion of the alley vacated shall revert to the owners abutting on each side of the vacated alley

(k) That the vacation of the alley shall not become effective until such time as the substitute alley is conveyed and the permits and approvals required for the associated project are granted

SECTION 5 That this ordinance shall become void if said approvals and permits lapse prior to the commencement of construction

SECTION 4 That all ordinances or part of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency

PASSED AND ADOPTED ON THIS TWENTY-FOURTH DAY OF MARCH, A D , 1998

(Kerdyk/Barker(5)  
(Clerk's Item NO 22)

RAÚL J VALDES-FAULI  
MAYOR

ATTEST  
  
VIRGINIA L PAUL  
CITY CLERK

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3594

AN ORDINANCE RESCINDING ORDINANCE NO. 3315 WHICH VACATED THE WEST 100 FEET OF EAST/WEST ALLEY LYING BETWEEN LOTS 1-4 AND 43-46, BLOCK 10, CRAFTS SECTION, FOR FAILURE OF APPLICANT TO MEET THE CONDITIONS OF THE ORDINANCE; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Ordinance No. 3315 was passed and adopted on March 24, 1998 for the purpose of vacating a portion of the east/west alley in Block 10, Crafts Section, and provided for a substitute alley; and

WHEREAS, the Applicant, Ussery Motors, has failed to comply with the conditions imposed in the ordinance.

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

Section 1. That Ordinance No. 3315 which was passed and adopted on March 24, 1998 is hereby rescinded for failure of the Applicant to comply with the conditions imposed in the ordinance.

Section 2. That the alley vacated by the ordinance is hereby rededicated to public use.

Section 3. That the City further releases the property legally described in the ordinance which had been designated for substitute public alley purposes.

Section 4. That all ordinances or part of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF SEPTEMBER, A.D., 2002.

(Motion: Anderson/Second: Kerdyk)  
(Yeas: Anderson, Cabrera, Kerdyk, Withers, Slesnick)  
(Clerk's Item No. 14)

DONALD D. SLESNICK II  
MAYOR

ATTEST:

JASON A. PLEMMONS  
ACTING CITY CLERK