

ORDINANCE 2026-06

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, VACATING THE PORTION OF FISHERMAN'S ALLEY ABUTTING LOTS 2 THROUGH 7 AND LOTS 14 THROUGH 19 OF BLOCK 1 OF MITCHELL'S BEACH JOHNS PASS THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Madeira Beach, has received an application to vacate the portion of Fisherman's Alley abutting Lots 2 through 7 and Lots 14 through 19 of Block 1 of Mitchell's Beach Johns Pass, according to the map or plat thereof, as recorded in Plat Book 3, Page 54 of the Public records of Pinellas County, Florida in order to consolidate the land for redevelopment; and

WHEREAS, the Community Development Department has reviewed the request, finds that the request is compatible with city and county adopted policies and regulations and recommended approval of the vacation request subject to certain conditions as set forth below; and

WHEREAS, the Board of Commissioners for the City of Madeira Beach finds and determines that the vacation of such rights-of-way is consistent with the Charter of the City of Madeira Beach, the City of Madeira Beach Code of Ordinances and with the Comprehensive Plan of the City of Madeira Beach; and

WHEREAS, there is no public need for the portion of Fisherman's Alley abutting Lots 2 through 7 and Lots 14 through 19 of Block 1 of Mitchell's Beach Johns Pass, according to the map or plat thereof, as recorded in Plat Book 3, Page 54 of the Public records of Pinellas County, Florida as shown on Exhibit "A" attached hereto; and

WHEREAS, Duke Energy Florida, Frontier Florida LLC, TECO/Peoples Gas, Pinellas County Utilities, the City of Madeira Beach Public Works and Fire Departments have no objections to the vacation of said rights-of-way; and

WHEREAS, Charter Communications has facilities within Fisherman's Alley and is requiring payment for the relocation of its facilities before it will consent to the vacation of said rights-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That it is found there is no public need for those certain rights-of-way on the properties located at Fisherman's Alley abutting Lots 2 through 7 and Lots 14 through 19 of Block 1, according to the map or plat thereof, as recorded in Plat Book 3, Page 54 of the Public records of Pinellas County, Florida, as shown on Exhibit "A" attached hereto, and said certain rights-of-way are hereby vacated subject to the following conditions:

- a. Prior to the recording of this Ordinance, copies of the executed easements provided to utility providers Pinellas County, Duke Energy Florida and Frontier Florida shall be provided to the City so that they may recorded immediately following the recording of the Ordinance.
- b. Prior to recording of the vacation ordinance, the City shall be provided with a letter of no objection from Charter Communications indicating that all required relocation costs have been paid or, in lieu of such payment, that an agreement acceptable to Charter has been executed to Charter's satisfaction are submitted to the City.
- c. Prior to the recording of this Ordinance, the applicant must reimburse the City for any costs incurred by the City as required by Sec. 112-34 of the City's Land Development Regulations.

d. Prior to the recording of this Ordinance, the applicant shall pay the City the privilege fee as required by Sec. 112-95 of the City's Land Development Regulations.

Section 2. That upon the completion of the conditions referenced in Section 1. above, the City Clerk is directed to record a certified copy of this Ordinance in the public records of Pinellas County, Florida, and send a certified copy thereof to the Property Appraiser of Pinellas County, Florida.

Section 3. This Ordinance shall become effective immediately upon its final passage and adoption.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS _____ day of _____, 2026.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

PASSED ON FIRST READING: _____

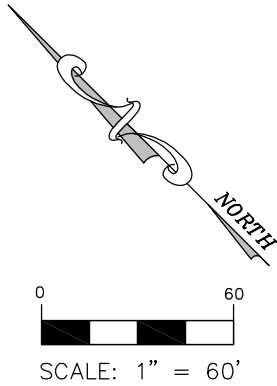
PUBLISHED:

PASSED ON SECOND READING:

Exhibit “A”

SKETCH-OF-LEGAL

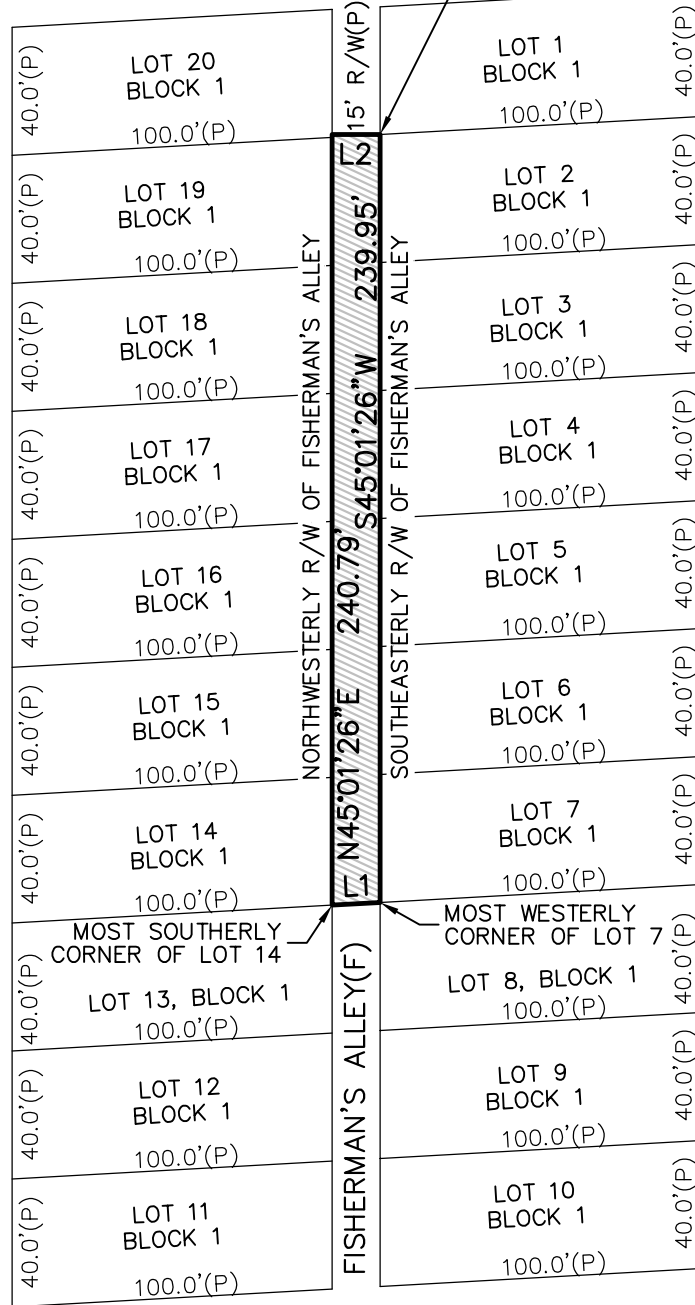
SECTION 15, TOWNSHIP 31 SOUTH, RANGE 15 EAST
PINELLAS COUNTY, FLORIDA



1ST STREET(P)
129TH AVENUE(F)
50' R/W(P)

LEE AVENUE(P)
EAST END LANE(F)
50' R/W(P)

POB
MOST WESTERLY
CORNER OF LOT 1



LINE TABLE		
LINE	BEARING	LENGTH
L1	N48°11'15"W	15.02'
L2	S44°58'34"E	15.00'

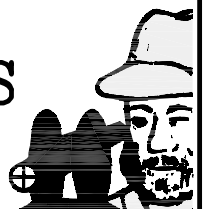
THIS IS NOT A BOUNDARY SURVEY

NAME AND ADDRESS OF THE PREPARER:

DRAWN BY: HW
CHECKED BY: D.J.E.
DATE: DECEMBER 2, 2025
SCALE: 1"=60'
SHEET 1 of 2
W.O. 6330

ABBREVIATION LEGEND:
(F) = Field Data
(P) = Data per Plat
(PA) = Data per Property Appraiser
POB = Point of Beginning
R/W = Right-of-Way
CL = Centerline

GEODATA SYSTEMS INC. D/B/A
GEODATA SERVICES
1166 KAPP DRIVE
CLEARWATER, FL 33765
PHONE: (727) 447-1763
LB 7466



SKETCH—OF—LEGAL

SECTION 15, TOWNSHIP 31 SOUTH, RANGE 15 EAST
PINELLAS COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PORTION OF FISHERMAN'S ALLEY, A 15 FOOT RIGHT-OF-WAY NOT NAMED ON THE PLAT, LYING IN BLOCK 1, MITCHELL'S BEACH JOHNS PASS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST WESTERLY CORNER OF LOT 1, SAID BLOCK 1; THENCE SOUTH 45°01'26" WEST ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF FISHERMAN'S ALLEY, A DISTANCE OF 239.95 FEET TO THE MOST WESTERLY CORNER OF LOT 7, SAID BLOCK 1; THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY, NORTH 48°11'15" WEST, A DISTANCE OF 15.02 FEET TO THE MOST SOUTHERLY CORNER OF LOT 14, SAID BLOCK 1; THENCE NORTH 45°01'26" EAST, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FISHERMAN'S ALLEY, A DISTANCE OF 240.79 FEET; THENCE LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY, SOUTH 44°58'34" EAST, A DISTANCE OF 15.00 FEET BACK TO THE POINT OF BEGINNING.

CONTAINING 3,604 SQUARE FEET OR 0.083 ACRE, MORE OR LESS.

SURVEYOR'S NOTES:

BEARING BASIS: THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FISHERMAN'S ALLEY BEING N45°01'26"E, ASSUMED.

SURVEYOR'S CERTIFICATION:

I, DENNIS J. EYRE, THE SURVEYOR IN RESPONSIBLE CHARGE, HEREBY CERTIFY THAT THIS SKETCH IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. SKETCH NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, OR ELECTRONIC DIGITAL SIGNATURE IN ACCORDANCE WITH STATE OF FLORIDA ADMINISTRATIVE CODE RULE 5J-17.062.

DENNIS J. EYRE, P.L.S. FLA. REG. No. 2865
DATE: DECEMBER 2, 2025

THIS IS NOT A BOUNDARY SURVEY

NAME AND ADDRESS OF THE PREPARER:

DRAWN BY: HW

CHECKED BY: D.J.E.

DATE: DECEMBER 2, 2025

SHEET 2 of 2

W.O. 6330

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