

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 the recording of this ordinance, the City is provided with a letter of no objection from Charter Communications indicating that the relocation costs of its utilities has been paid by the applicant.
- 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.

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: _____