

RESOLUTION NO. 13-10

A RESOLUTION VACATING PORTIONS OF THE DRAINAGE EASEMENTS LOCATED ON THE PLAT OF MARCO BEACH, REPLAT OF A PORTION OF UNIT ELEVEN, TRACTS R-A AND R-B IN PLAT BOOK 12, PAGES 24-26 OF THE OFFICIAL RECORDS OF COLLIER COUNTY, FLORIDA, AND ALSO AS GRANTED BY THAT CERTAIN DRAINAGE EASEMENT RECORDED IN O.R. BOOK 1383, PAGES 2317-2319 OF THE OFFICIAL RECORDS OF COLLIER COUNTY, FLORIDA, AND ACCEPTANCE OF AN ALTERNATE DRAINAGE EASEMENT.

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida; and

WHEREAS, the Marco Island City Council has received a request from the owners of the subject property to vacate portions of the drainage easements located in Tracts R-A and R-B on the plat of Marco Beach, Replat of a portion of Unit Eleven, and also as subsequently granted to Collier County by drainage easement recorded in O.R. Book 1383, Pages 2317-2319, Official Records of Collier County, Florida; and

WHEREAS, the affected property and drainage easements are as previously addressed by Collier County pursuant to that certain Resolution No. 88-228, as recorded in O.R. Book 1383, Page 2312, Official Records of Collier County, Florida, whereby portions of the platted drainage easements were previously vacated and an alternate drainage easement given; and

WHEREAS, the further vacation of portions of the foregoing platted and alternate drainage easements, as well as the acceptance of an additional alternate drainage easement, is appropriate and desirable to reflect the drainage facilities and drainage areas as they currently exist and are operated and maintained; and

WHEREAS, the granting of the requested vacation will not adversely affect the ownership or right of convenient access or use of other property owners:

NOW, THEREFORE BE IT RESOLVED, BY THE MARCO ISLAND CITY COUNCIL, THAT:

SECTION 1. Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct and incorporated into this Resolution.

SECTION 2. Vacation of Platted Easement. The following described portion of the platted drainage easement(s) is hereby vacated:

See Exhibit "A" attached hereto and incorporated herein

SECTION 3. Vacation and Termination of Recorded Easement. The following described portion of the alternate drainage easement recorded in O.R. Book 1383, Pages 2317-2319, is hereby vacated and terminated:

See Exhibit "B" attached hereto and incorporated herein

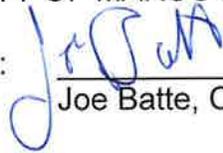
SECTION 4. New Alternate Easement. The City hereby accepts the following alternate drainage easement:

See Exhibit "C" attached hereto and incorporated herein

SECTION 5. Effective Date. This Resolution shall take effect immediately upon adoption. The foregoing Resolution was adopted this 15th day of April, 2013.

CITY OF MARCO ISLAND, FLORIDA

By: _____



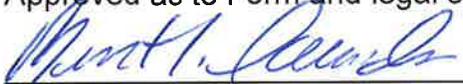
Joe Batte, Chairman

ATTEST:



Laura Litzan
City Clerk

Approved as to Form and legal sufficiency:



Burt L. Sanders
City Attorney