MARCO ISLAND CITY COUNCIL RESOLUTION NO. 05 - 14

A RESOLUTION TO CLOSE AND VACATE THE PUBLIC'S RIGHTS AND INTERESTS TO UTILIZE FOR TRAFFIC PURPOSES A PORTION OF BALD EAGLE DRIVE NEAR THE INTERSECTION OF BALD EAGLE DRIVE (formerly SR S-951) AND SAN MARCO ROAD (SR-92) FOR A LENGTH OF APPROXIMATELY 350-FEET, AS MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, Florida Statutes, a petition has been prepared by the City of Marco Island's Public Works Department to close and vacate a portion of Bald Eagle Drive near the intersection of Bald Eagle Drive (formerly SR S-951) and San Marco Road (SR-92), as legally described in Exhibits "A" and "B" (the "Roadway Property"); and

WHEREAS, the City of Marco Island desires to close and vacate the public's right and interest to utilize the Roadway Property for traffic purposes in order to resolve traffic issues and safety concerns; and

WHEREAS, it is intended that the upon closure and vacation, the Roadway Property will become part of the existing government center campus currently housing the fire station, police station, and the City Hall complex; and

WHEREAS, the City Council has this day held a public hearing to consider the above-described petition to close and vacate the portion of Bald Eagle Drive described herein, and notice of said public hearing to close and vacate was given as required by law; and

WHEREAS, the granting of the subject petition will not adversely affect the ownership or right of convenient access of other property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, that:

Section 1. The petition submitted by the City of Marco Island's Public Works Department to close and vacate the public's right and interest to utilize for traffic purposes that portion of Bald Eagle Drive (formerly SR S-951) legally described in Exhibits "A" and "B", attached hereto and made are part hereof, is hereby approved. The petition is approved with the intent that the City of Marco Island shall retain any and all

ownership interest it may have in the land underlying the portion roadway being addressed herein.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, THIS 22nd DAY OF February 2005.

MARCO ISLAND CITY COUNCIL
MARCO ISLAND, FLORIDA

By: Terri DiSciullo
Terri DiSciullo, Chairwoman

ATTEST:

Laura Litzan
City Clerk

Approved as to form and legality:

Richard D. Yovanovich
City Attorney