

1 This ordinance prepared by:  
2 **Kyle A. Shephard, Esq.**  
3 Assistant City Attorney  
4 Orlando City Hall  
5 400 S. Orange Ave.  
6 Orlando, Florida 32801  
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15 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**  
16 **OF ORLANDO, FLORIDA, VACATING, CLOSING, AND**  
17 **ABANDONING PART OF E. ORLANDO ST.,**  
18 **GENERALLY LOCATED NORTH OF E. SMITH ST.,**  
19 **EAST OF INTERSTATE HIGHWAY 4, SOUTH OF E.**  
20 **ROLLINS ST., AND WEST OF DADE AVE., AND**  
21 **COMPRISED OF 0.16 ACRES OF LAND, MORE OR**  
22 **LESS; PROVIDING FOR SEVERABILITY, CORRECTION**  
23 **OF SCRIVENER'S ERRORS, AND AN EFFECTIVE**  
24 **DATE.**  
25

26 **WHEREAS**, at its regularly scheduled meeting of July 15, 2014, the Municipal  
27 Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered an  
28 application (City of Orlando case number ABN2014-00002) for the abandonment of  
29 approximately 0.16 acres of land comprising a part of E. Orlando Street, generally  
30 located north of E. Smith Street, east of Interstate Highway 4, south of E. Rollins Street,  
31 and west of Dade Avenue, and more precisely described by the legal description  
32 attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and  
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34 **WHEREAS**, based upon the evidence presented to the MPB, including the  
35 information and analysis contained in the "Staff Report to the Municipal Planning Board"  
36 for abandonment application case number ABN2014-00002 (entitled "Item #1 – E.  
37 Orlando St. R-O-W Abandonment" and hereinafter referred to as the "Staff Report"), the  
38 MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando  
39 City Council"), approve the abandonment application and adopt an ordinance in  
40 accordance therewith; and  
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42 **WHEREAS**, the MPB found that the abandonment application is consistent with:  
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- 44 1. The *City of Orlando Growth Management Plan*, adopted as the City's  
45 "comprehensive plan" for purposes of the Florida Community Planning  
46 Act, sections 163.3164 through 163.3217, Florida Statutes (2013) (the  
47 "GMP"); and

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2. The *City of Orlando Land Development Code*, Chapters 58 through 68, Code of the City of Orlando, Florida (the “LDC”); and

**WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of the City’s GMP and LDC; and

**WHEREAS**, the City Council of the City of Orlando, Florida, hereby finds and determines that the Property is no longer useful and needed for public right-of-way and that it is in the best interest of the public health, safety, and welfare that it be vacated, closed, and abandoned as public right-of-way; and

**WHEREAS**, the Property is located within Orange County, Florida, and within the jurisdiction of the City of Orlando, Florida (the “City”); and

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AS FOLLOWS:**

**SECTION 1. ABANDONMENT.** The Property is hereby vacated, closed, and abandoned as public right-of-way. All right, title, and interest in the Property as the City may hold shall revert to those with interests as provided by law.

**SECTION 2. EFFECTING DOCUMENTS.** The Mayor, City Clerk, and City Attorney are hereby authorized and directed to execute such instruments as may be necessary or convenient to implement this ordinance.

**SECTION 3. SCRIVENER’S ERROR.** The City Attorney may correct scrivener’s errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

**SECTION 4. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 5. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

**DONE, THE FIRST READING**, by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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**DONE, THE PUBLIC NOTICE**, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE  
OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor / Mayor Pro Tempore

ATTESTED, BY THE CLERK OF THE  
CITY COUNCIL OF THE CITY OF  
ORLANDO, FLORIDA:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
City Attorney

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