

**GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 1102.98**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA; PROVIDING A NOTICE OF INTENT TO VACATE A PORTION OF THE RIGHT-OF-WAY OF TERRACINA AVENUE AT AND NEAR THE INTERSECTION WITH GOLDEN BEACH DRIVE; PROVIDING FOR AN ADVERTISED PUBLIC HEARING AT A FUTURE MEETING; PROVIDING FOR NOTICE TO UTILITY PROVIDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town Council desires to vacate a portion of the remaining north half of the right-of-way of Terracina Avenue (a/k/a 195 Street) at or near the intersection of Golden Beach Drive; and

**WHEREAS**, the Town Council desires to conduct a public hearing at a future Council meeting after public notice and notice to the utility providers, to consider the vacation of said right-of-way;

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** That the Town Council hereby adopts this notice of intent to vacate a portion of the remaining north half of Terracina Avenue (a/k/a 195 Street) at and near the intersection with Golden Beach Drive. The description of said right-of-way is [see sketch attached], said lands being located in the Town of Golden Beach, Miami-Dade County, as more particularly described on the sketch attached to and made a part of this Resolution, as Exhibit A.

**Section 2.** That a public hearing will be held on Tuesday, June 16, 1998, at 8:00 p.m. or as soon thereafter as may be held, in the Town Council Chambers in Town Hall, located at One Golden Beach Drive, Golden Beach, Florida.

**Section 3.** That the Town Clerk is authorized and directed to publish a notice of public hearing once at least two weeks prior to the public hearing.

**Section 4.** That the Town Manager and Town Attorney are authorized and directed to send a copy of this Resolution to the adjacent property owners in the Town who would be the recipients of the adjacent right-of-way and to the utility providers who may have existing utility lines or an interest in the portion of the right-of-way to be vacated so that they may request that a utility easement be reserved for their benefit. Those entities are:

Florida Power & Light;  
Peoples Gas;  
Goldcoast Cable;  
City of North Miami Beach Water Department;  
Miami-Dade County Utilities Department; and  
Bell South.

**Section 5.** That upon adoption of the upcoming Resolution, the Town Clerk shall publish notice of that Resolution within 30 days of its adoption.

**Section 6. Severability.** That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

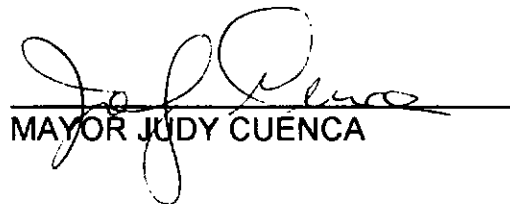
**Section 7. Conflict.** That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 8. Effective Date.** That this Resolution shall become effective immediately upon approval of the Town Council.


The Motion to adopt the foregoing Resolution was offered by Councilmember Chikovsky, seconded by Councilmember Fistel and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Addicott	<u>Nay</u>
Councilwoman Chikovsky	<u>Aye</u>
Councilman Fistel	<u>Aye</u>
Councilman Rodriguez	<u>Aye</u>

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach this 19th day of May, 1998.

  
MAYOR JUDY CUENCA

ATTEST:

  
MICHELE F. ROBINEAU, CMC  
DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

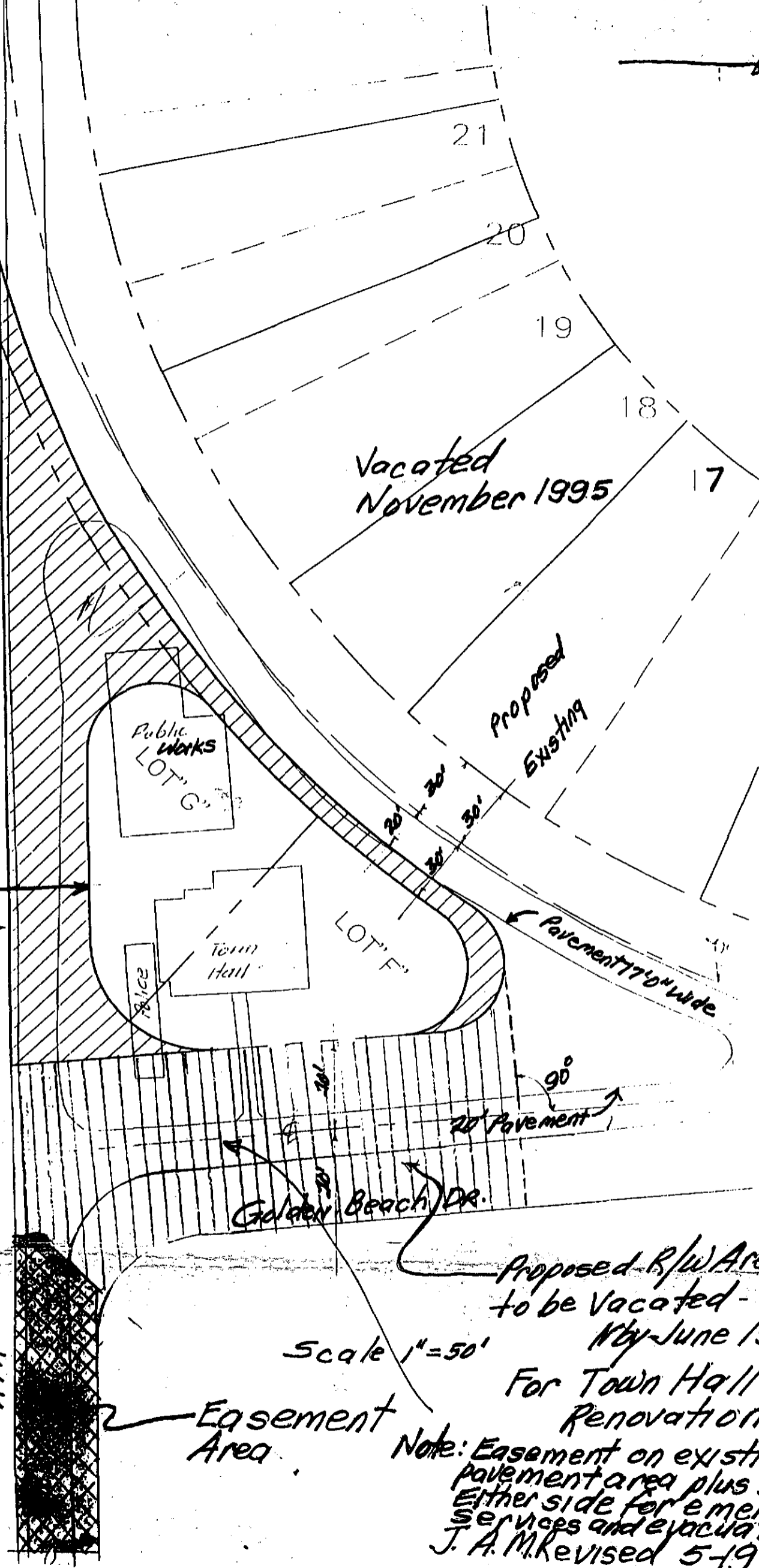
  
JON M. HENNING  
TOWN ATTORNEY

TERRACINA AVE.

West - Owners' Easement

Town South Limit

East toward A-1A



Vacated November 1995

Public Works LOT "G"

Town Hall

LOT "F"

Proposed Existing

Pavement 17'0" wide

20' Pavement 90°

Golden Beach Dr.

Proposed R/W Area to be Vacated - N by June 1998

Scale 1"=50'

For Town Hall Renovation.

Easement Area

Note: Easement on existing pavement area plus 5' either side for emergency services and evacuation. J. A. M. Revised 5-19-98