

RESOLUTION 09-2008

A RESOLUTION OF THE TOWN OF MALABAR PROVIDING FOR THE RENAMING OF MUSSELL SHOAL LANE TO FINS LANE; PROVIDING FOR THE FORWARDING OF THIS INFORMATION TO BREVARD COUNTY ADDRESS ASSIGNMENT FOR E 9-1-1 EMERGENCY IDENTIFICATION PURPOSES; PROVIDING FOR THE POSSIBLE FUTURE RE-NAMING OF FINS LANE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Malabar has the responsibility of naming rights-of-way within its jurisdiction through coordination with Brevard County Address Assignment for E 9-1-1 purposes; and

WHEREAS, the Town Council of Malabar had approved Mussell Shoal Lane as a new name for a right of way within Malabar, being more particularly described as follows: Commence at the north side of Hall Road in Section 02, Township 29, Range 37, and north of the right-of-way known as Arnold's Lane and continue north for a distance to be determined by road improvement applications in May 2005; and

WHEREAS, after adoption of the street name Mussell Shoal Lane , the new residents who built the road and are building a home requested a street name change and Brevard County E-911 approved the proposed name of Fins Lane; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. That the Town of Malabar approves the renaming of Mussell Shoal Lane to Fins Lane for the right-of-way described above.

SECTION 2. That the Town of Malabar directs that this resolution be recorded at the Clerk of Courts and a copy be forwarded to Brevard County Address Assignment for input into the E 9-1-1 database and additional copies be sent to the Post Office serving that area, the Supervisor of Elections, and all concerned public safety agencies for their information, and that the proper notations be made on all maps of record.

SECTION 3. If the Fins Lane right-of-way should ever connect to the existing and accepted road right-of-way Sandy Creek Lane, the name Fins Lane shall no longer exist and the entire length of the road right-of-way from Malabar Road going south to Hall Road, shall be known as Sandy Creek Lane and those property owners who have built on the section known as Fins Lane will be notified by the Town that their addresses have changed.

SECTION 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. Should any Section, Clause, or Provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions or parts of this Resolution.

SECTION 6. This resolution shall take effect immediately upon its adoption.

This Resolution was moved for adoption by Council Member _____. The motion was seconded by Council Member _____ and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton	_____
Council Member Brian Vail	_____
Council Member Charles (Chuck) McClelland	_____
Council Member Jeffrey (Jeff) McKnight	_____
Council Member Patricia (Pat) Dezman	_____

This Resolution was then declared to be duly passed and adopted this 28th day of January, 2008.

TOWN OF MALABAR

By: _____
Mayor Thomas M. Eschenberg

Approved as to form and content:

Karl W. Bohne, Jr., Town Attorney

ATTEST:

Debby K. Franklin
Town Clerk/Treasurer

(seal)