RESOLUTION 80-2011

A RESOLUTION OF THE TOWN OF MALABAR PROVIDING FOR THE REPEAL OF RESOLUTION OF 74-2011 DUE TO AN ERROR IN THE LEGAL DESCRIPTION AND REPLACING IT WITH THIS RESOLUTION NAMING THE RIGHT OF WAY SOUTH OF TOWNSHIP ROAD FOR A DISTANCE OF 350 FEET IN SECTION 6, TOWNSHIP 29, RANGE 38 AS CHRISTIAN LANE; PROVIDING FOR THE FORWARDING OF THIS INFORMATION TO BREVARD COUNTY ADDRESS ASSIGNMENT FOR E 9-1-1 EMERGENCY IDENTIFICATION PURPOSES; 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, there was an error in the legal description in resolution 74-2011 creating the need to repeal resolution 74-2011 and replace it with this current resolution to provide for the correct legal description; and

WHEREAS, the Town Council of Malabar has been requested to rename an unimproved roadway to Christian Lane as a new name for a right of way within Malabar, formerly known as Prospect Street, and being more particularly described as follows: Commence at the south side of Township Road in Section 06, Township 29, Range 38, and continue south for a distance of 350 feet; and

WHEREAS, the requestor is named Christian and is improving the roadway to Town standards and intends to build a home on this lane.

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 the roadway running south of Township Road to Christian 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 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. This resolution shall take effect immediately upon its adoption.

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

Council Member Carl Beatty Aye

Council Member David White Aye
Council Member Steven (Steve) Rivet        Aye
Council Member Jeffrey (Jeff) McKnight        Aye
Council Member Marisa Acquaviva        Aye

This Resolution was then declared to be duly passed and adopted this 4th day of April, 2011.

TOWN OF MALABAR
By: Thomas M. Eschenberg
Mayor Thomas M. Eschenberg, Chair

Approved as to form and content:

Karl Bohne
Karl W. Bohne, Jr., Town Attorney

ATTEST:

Debby K. Franklin, CMC
Town Clerk/Treasurer

(seal)