RESOLUTION 6-2018

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA VACATING AND ABANDONING 50-FOOT WIDE UNIMPROVED RIGHT-OF-WAY KNOWN AS WILSON LANE ADJACENT TO PARCEL 13 IN SECTION 03, TWSP 29, RNG 37 WITHIN MALABAR A DISTANCE OF 600+/- FEET; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Malabar has determined to partially vacate and abandon a certain right-of-way located in the Town corporate limits. The portion of the right-of-way being abandoned is described in Section 1 of this Resolution and is hereinafter referred to as the “Right of Way”; and,

WHEREAS, the Town Council of the Town of Malabar has considered the petition to vacate as the applicants own the parcels to the east and west and wish to join them for their homestead; and,

WHEREAS, the Town Council deems the unimproved section of right-of-way does not serve any public need and that it is in the best interest of the Town to vacate and abandon the said Right-of-Way; and,

WHEREAS, the Town desires to vacate and abandon to the adjacent property owners the 600+/- foot right-of-way more particularly described in Section 1 of this Resolution.

NOW THEREFORE, be it resolved by the Town Council of the Town of Malabar, Brevard County, Florida as follows:

Section 1. Right-of-Way Abandoned. The Town hereby vacates and abandons the following property:

The 50' wide right-of-way adjacent to Parcel 13 in Section 03, Township 29, Range 37 for a distance of 600+/- feet.

Section 2. A map showing the area vacated is attached hereto as Exhibit “A.”.

Section 3. Conflict. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. Effective Date. This resolution shall take effect upon the recording at the Clerk of Courts.

This Resolution was moved for adoption by Council Member Korn and was seconded by Council Member Rivet and, upon being put to a vote, the vote was as follow:

Council Member Grant Ball Nay
Council Member Laura Mahoney Nay
Council Member Steve Rivet Aye
Council Member Dick Korn Aye
Council Member Danny White Aye
This Resolution was declared duly passed and adopted this 6th day of August 2018.

TOWN OF MALABAR
By:

Patrick T. Reilly
Mayor Patrick T. Reilly, Council Chair

ATTEST:

Debby K. Franklin, C.M.C.
Town Clerk/Treasure

Approved as to Form and Content:

Karl W. Bohne, Jr.
Town Attorney
EXHIBIT "A"

RIGHT-OF-WAY VACATION - A Portion of Wilson Lane, Malabar

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced by BuCC - GIS Date: 5/25/2018