

ORDINANCE NO.: 419

AN ORDINANCE VACATING A PORTION OF BALTZELL AVENUE LOCATED WITHIN THE CITY OF PORT ST. JOE ; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe, Florida (hereinafter referred to as "City") and First Baptist Church of Port St. Joe, Inc., a Florida corporation (hereinafter referred to as "Church") have entered into an agreement; providing for the relocation of a portion of Baltzell Avenue; and

WHEREAS, said agreement provides for the transfer by the Church to the City of a parcel of land equal in size to the portion of Baltzell Avenue to be closed; and

WHEREAS, the agreement further provides for a shared parking arrangement for the benefit of the people of the City and the Church; and

WHEREAS, the relocation of a portion of Baltzell Avenue and the formalization of parking areas promotes the environmental, recreational and transportation needs of the City;

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA AS FOLLOWS:

1. That portion of Baltzell Avenue located between the southern right-of-way line of Third Street and the northern right-of-way line of Fourth Street is hereby closed, vacated, and abandoned.
2. REPEAL: All ordinances or parts of ordinances in conflict herewith are hereby repealed.
3. EFFECTIVE DATE: This ordinance shall become effective upon the execution by the City and the Church of the agreement, a copy of which is attached hereto as exhibit A.
4. SEVERABILITY: If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this 2 day of June, 2009.

THE CITY OF PORT ST. JOE

By: Mel Magidson 6/4/09
MEL C. MAGIDSON, JR.
MAYOR-COMMISSIONER

ATTEST: Pauline Pendarvis
PAULINE PENDARVIS
CITY CLERK-AUDITOR

The following commissioners voted yea:
The following commissioners voted nay: