

**RESOLUTION NO. 98- 22**

**RESOLUTION TO VACATE, RENOUNCE AND DISCLAIM THE CITY'S AND THE PUBLIC'S RIGHTS AND INTERESTS IN ALL OF WATERWAY DRIVE AND TO VACATE, RENOUNCE AND DISCLAIM THE CITY'S AND THE PUBLIC'S RIGHTS AND INTERESTS IN THE 20' WIDE DRAINAGE EASEMENT BETWEEN LOTS 1 AND 2 AND TO VACATE, RENOUNCE AND DISCLAIM THE CITY'S AND THE PUBLIC'S RIGHTS AND INTERESTS IN THE 20' WIDE DRAINAGE EASEMENT BETWEEN LOTS 6 AND 7, ACCORDING TO THE PLAT OF "A REPLAT OF TRACT 'L' MARCO BEACH UNIT SIX" AS RECORDED IN PLAT BOOK 12, PAGES 55 AND 56, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.**

**WHEREAS**, pursuant to Section 177.101, 336.09 and 336.10, Florida Statutes, a Petition has been received from Kathleen C. Passidomo, Esquire, as agent for the owners requesting the vacation of all of Waterway Drive and to vacate the 20' wide drainage easement between Lots 1 and 2 and to vacate the 20' wide drainage easement between Lots 6 and 7, according to the plat of "A Replat of Tract 'L' Marco Beach Unit Six" as recorded in Plat Book 12, Pages 55 and 56, Public Records of Collier County, Florida.

**WHEREAS**, the City Council has this day held a public hearing to consider vacating said road and easements as more fully described below, and notice of said public hearing to vacate was given as required by law; and

**WHEREAS**, the granting of the vacation will not adversely affect the ownership or right of convenient access of other property owners;

**NOW, THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, that the City's and the Public's rights and interests in the following be and is hereby renounced and disclaimed:


1. The 20' wide drainage easement between Lots 1 and 2;
2. The 20' wide drainage easement between Lots 6 and 7; and
3. Waterway Drive, all according to the Plat of "A Replat of Tract 'L' Marco Beach Unit Six" as recorded in Plat Book 12, Pages 55 and 56, Public Records of Collier County, Florida. See also Exhibit "A", attached hereto and incorporated herein.

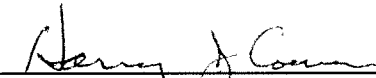
This resolution adopted after motion, second and majority vote favoring same.

DATED: April 20, 1998

ATTEST:

CITY OF MARCO ISLAND, FLORIDA

  
\_\_\_\_\_  
A. William Moss  
City Manager/City Clerk

By:   
\_\_\_\_\_  
Harry J. Cowin, Chairman

Approved as to form and  
legal sufficiency:

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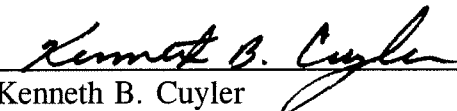
  
\_\_\_\_\_  
Kenneth B. Cuyler  
City Attorney

EXHIBIT 'A'

DESCRIPTION TO ACCOMPANY PETITION TO VACATE THE ROAD RIGHT-OF-WAY OF WATERWAY DRIVE (100 FEET WIDE), ACCORDING TO A REPLAT OF TRACT 'L', MARCO BEACH, UNIT SIX, AS RECORDED IN PLAT BOOK 12, PAGES 55 AND 56, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHERNMOST CORNER OF LOT 1, BLOCK 799, A REPLAT OF TRACT 'L', MARCO BEACH, UNIT SIX, AS RECORDED IN PLAT BOOK 12, PAGES 55 AND 56, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE SOUTH 29°39'44" EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BALD EAGLE DRIVE (100 FEET WIDE), FOR 150.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 29°39'44" EAST, ALONG SAID RIGHT-OF-WAY LINE, 200.00 FEET, TO A POINT OF CUSP; THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY RIGHT-OF-WAY LINE OF WATERWAY DRIVE, THE SEVEN FOLLOWING COURSES:

78.54 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS NORTH 74°39'44" WEST, FOR A CHORD DISTANCE OF 70.71 FEET; THENCE SOUTH 60°20'16" WEST FOR 185.00 FEET; THENCE 235.62 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS SOUTH 15°20'16" WEST, FOR A CHORD DISTANCE OF 212.13 FEET; THENCE SOUTH 29°39'44" EAST FOR 358.00 FEET; THENCE 235.62 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS SOUTH 74°39'44" EAST, FOR A CHORD DISTANCE OF 212.13 FEET; THENCE NORTH 60°20'16" EAST FOR 185.00 FEET; THENCE 78.54 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS NORTH 15°20'16" EAST FOR A CHORD DISTANCE OF 70.71 FEET, TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BALD EAGLE DR.; THENCE SOUTH 29°39'44" EAST FOR 180.00 FEET; THENCE 21.11 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 950.00 FEET, THROUGH A CENTRAL ANGLE OF 01°16'24", THE CHORD OF WHICH BEARS SOUTH 29°01'32" EAST FOR A CHORD DISTANCE OF 21.11 FEET, TO A POINT OF CUSP; THENCE ALONG THE SOUTHERLY, WESTERLY AND NORTHERLY RIGHT-OF-WAY LINE OF WATERWAY DRIVE, THE SEVEN FOLLOWING COURSES:

79.65 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 91°16'24", THE CHORD OF WHICH BEARS NORTH 74°01'32" WEST, FOR A CHORD DISTANCE OF 71.49 FEET; THENCE SOUTH 60°20'16" WEST FOR 184.78 FEET; THENCE 392.70 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 250.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS NORTH 74°39'44" WEST, FOR A CHORD DISTANCE OF 353.55 FEET; THENCE NORTH 29°39'44" WEST FOR 358.00 FEET; THENCE 392.70 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS NORTH 15°20'16" EAST, FOR A CHORD DISTANCE OF 353.55 FEET; THENCE NORTH 60°20'16" EAST FOR 185.00 FEET; THENCE 78.54 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", THE CHORD OF WHICH BEARS NORTH 15°20'16" EAST, FOR A CHORD DISTANCE OF 70.71 FEET, TO THE POINT OF BEGINNING.



A. TRIGO & ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS & PLANNERS  
2223 TRADE CENTER WAY  
NAPLES, FLORIDA 34109  
LAND SURVEYING BUSINESS # 3964

DATE : APRIL 25, 1997  
DRAWN BY: EDK SCALE: N.T.S.  
SHEET 1 OF 2 FILE NO. 97-0084

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