

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 97- 26

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, CORRECTING THE LEGAL DESCRIPTION OF RESOLUTION 97- 4, LIMITING THE TRAFFIC ON A PORTION OF ESTERO BOULEVARD AND SAN CARLOS DRIVE, PROVIDING DESCRIPTION OF LIMITED ROAD; LIMITATIONS ON TRAFFIC AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Commission, by adopting Resolution No. 90-07-21 found the existence of conditions of blight in all of Estero Island pursuant to Chapter 163, Part III, Florida Statutes; and,

WHEREAS, the Lee County Commission, by adopting Resolution No. 91-04-28, approved the component redevelopment plan for Estero Island; and,

WHEREAS, the Lee County Commission, by adopting subsequent resolutions approved the project known as "Times Square" and is in the process of completion of the improvements; and,

WHEREAS, the project by its design limits and restricts the motor vehicle traffic on a portion of Town road; and,

WHEREAS, the Town of Fort Myers Beach has the governmental, corporate, and proprietary "Home Rule Powers" pursuant to Article VIII, Section 2 of the Constitution of the state of Florida and Chapter 166 of the Florida Statutes to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, prior studies have determined that there is a safety problem because of the vehicular through traffic and "cruising" traffic problem on the subject road it is necessary that the Town Council consider limitation of motor vehicle traffic on that portion of public road; and,

WHEREAS, there was an error in the legal description of Resolution 97- 4.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

Section 1. Description of Limited Road. That portion of San Carlos Drive and Estero Boulevard lying within the following: Beginning at ~~Starting from~~ the North West corner of Lot 1, Block 8 of Business Center Subdivision, recorded in Plat Book 9, Page 9, of the Public Records of Lee County, Florida; thence in a North Westerly direction across San Carlos Drive to the South West corner of the intersection of Fifth Street and San Carlos Drive; thence South Westerly along San Carlos Drive to the south ~~north~~ right of way line of Estero Boulevard and the Westerly right of way line of San Carlos Drive; thence ~~across Estero Boulevard to the South right of way line and~~

South Easterly along said line to an intersection with a perpendicular line across Estero Boulevard ~~to~~ from a point 15 20 feet East of the common lot line between lot 6 and 7, Block 8 of that same Subdivision; thence North Easterly along said perpendicular line to the Northerly right of way of Estero Boulevard; thence North Westerly along said Estero Boulevard to the Easterly right of way line of San Carlos Drive; thence North Easterly ~~Westerly and North~~ along the right of way to the Point of Beginning.

Section 2. Limitations on Traffic. Motor vehicle traffic shall be limited to service vehicles, as needed for service to abutting properties, between the hours of 2 a.m. to noon of any day.

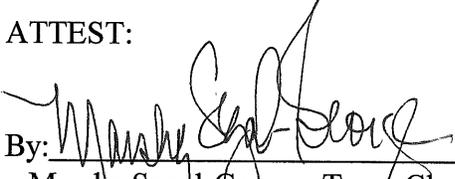
Section 3. Effective Date. This resolution shall take effect immediately upon adoption.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

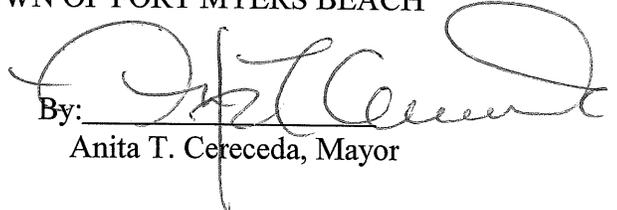
Anita T. Cereceda	<u>aye</u>
Ted FitzSimons	<u>absent</u>
William (Rusty) Isler	<u>aye</u>
Garr Reynolds	<u>aye</u>
Ray Murphy	<u>aye</u>

DULY ADOPTED this 11th day of August, 1997.

ATTEST:

By: 
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: 
Anita T. Cereceda, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney