

ORDINANCE NO. 2022-2232

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CITY CODE TO ADD A NEW SECTION NUMBER 86-110.18 TO ARTICLE III, CHAPTER 86, WHICH PROVIDES FOR THE PERMANENT VACATING OF THE SOUTH 50.00 FEET OF THE NORTH 158.00 FEET OF BLOCK 15, McFARLANE PARK SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B, PAGE 5, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, McFarlane Park Subdivision, a subdivision recorded in the public records of Columbia County, Florida (herein “McFarlane Park, Subdivision”), contains various parcels of real property that are neither developed or used by the public; and

WHEREAS, maintenance of such undeveloped and unused parcels (right-of-way) creates potential liability, additional work, and costs to the City of Lake City, Florida (hereinafter the “City”); and

WHEREAS, the abutting landowner of a parcel of real property has petitioned the City in accordance with Section 86, Code (Sections 86-96 – 86-101), to vacate the following: THE SOUTH 50.00 FEET OF THE NORTH 158.00 FEET OF BLOCK 15, MCFARLANE PARK SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B, PAGE 5, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA (hereinafter the “Parcel”; further identified in the Petitioner attached hereto); and

WHEREAS, the City Council finds that it is in the public interest to permanently close, vacate, and abandon the Parcel.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this ordinance.

Section 2. The Code of the City of Lake City is hereby amended by adding a section to Chapter 86, Article III, to be numbered Section 86-110.18 which section reads as follows:

Section 86-110.18 VACATING PORTIONS OF THE RIGHT OF WAY IDENTIFIED AS THE SOUTH 50.00 FEET OF THE NORTH 158.00 FEET OF BLOCK 15, MCFARLANE PARK SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B PAGE 5 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA.

Section 3. The City finds the Parcel to be surplus to its needs and that it is in the public interest to close and vacate the Parcel.

Section 4. The City shall convey by Quit Claim Deed to each abutting record title owner that portion of the vacated Parcel to its centerline and reserving a perpetual easement for utilities.

Section 5. All ordinances or parts of ordinances in conflict herewith are and the same are hereby repealed.

Section 6. If any section, subsection, sentence, clause or phrase of this ordinance or the particular application thereof shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining section(s), subsection(s), sentences(s), clause(s) or phrases(s) under application shall not be affected hereby.

Section 7. It is the intention of the City Council of the City of Lake City, Florida, that the provisions of this ordinance shall become and be made a part of the Code of the City of Lake City, Florida, and that the sections of this ordinance may be numbered appropriately in order to accomplish such intentions.

[Remainder of this page left blank intentionally.]

Section 8. Effective Date. This ordinance shall become effective upon adoption.

PASSED upon first reading this _____ day of _____ 2022.

NOTICE PUBLISHED on this _____ day of _____ 2022.

PASSED AND ADOPTED on the second and final reading this _____ day of _____ 2022.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney



DEPARTMENT OF GROWTH MANAGEMENT

205 North Marion Avenue

Lake City, FL 32055

Telephone: (386) 719-5766

growthmanagement@lcfla.com

APPLICATION FOR VACATING RIGHT-OF-WAY

PETITION# VRW22-02

1. Name of Petitioner George H. Hudson Jr.

Telephone 386-623-2066

Residence Address 309 SW Lakeview Ave Lake City, FL 32025

Mailing Address 309 SW Lakeview Ave Lake City, FL 32025

THE FOLLOWING IS TO BE ATTACHED SEPERATELY

- 2. Legal description of road, street, alleyway or portion of the same sought to be vacated.
- 3. Certification that the petitioner is the owner of fee simple title to the lands abutting at least one side of the right-of-way sought to be vacated.
- 4. If the petitioner owns the lands abutting only one side of the subject right-of-way, the names, residence and mailing address of the owners of the remaining lands abutting the subject right-of-way.
- 5. Certification that the right-of-way sought to be vacated is not used by the public and that no person will be denied access to any other lands should the petition be granted.
- 6. A sketch or drawing containing sufficient information to identify the right-of-way or portion of right-of-way sought to be vacated in relation to adjacent lands and cross streets.
- 7. Payment to the City of a nonrefundable filing fee of \$400.00.

Signature of applicant

9/15/2022
Date Signed



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- Sec. 86-96. - Petition—Required.

Prior to vacating any road, street, alleyway or other public right-of-way within the city, the city council shall require the submission of a written petition to vacate, close and abandon such right-of-way, which petition shall include the following:

(1) Name, residence and mailing address of the petitioner.

(2) Legal description of the road, street, alleyway or portion of the same sought to be vacated.

(3) Certification that the petitioner is the owner of fee simple title to the lands abutting at least one side of the right-of-way sought to be vacated.

(4) If the petitioner owns the lands abutting only one side of the subject right-of-way, the names, residence and mailing address of the owners of the remaining lands abutting the subject right-of-way.

(5) Certification that the right-of-way sought to be vacated is not used by the public and that no person will be denied access to any other lands should the petition be granted.

(6) A sketch or drawing containing sufficient information to identify the right-of-way or portion of right-of-way sought to be vacated in relation to adjacent lands and cross streets.

(7) Payment to the city of a nonrefundable filing fee of \$400.00.

(Code 1968, § 23-51)

- Sec. 86-97. - Same—Review.

Upon receipt of a petition complying with the requirements of Section 86-96, the petition shall be reviewed by all proper city departments and public utilities holding franchises from the city, each of which shall determine whether the closing of such street or road would adversely affect the public health, safety or welfare.

(Code 1968, § 23-52)

- Sec. 86-98. - Ordinance to be prepared.

If the city council determines that the proposed street or road closing should be considered further, an appropriate ordinance shall be prepared to vacate the right-of-way, which ordinance shall then be noticed, read and acted upon in accordance with applicable laws of the state.



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• **Sec. 86-99. - Conditions of vacation.**

Prior to and as a condition to adopting an ordinance vacating a municipal right-of-way, the city shall:

- (1) Cause the subject right-of-way to be appraised by generally accepted appraisal methods and valued at a value comparable to unimproved lands contiguous thereto; and
- (2) Require the payment to the city as a closing charge, the value of the right-of-way as established under this section.

(Code 1968, § 23-54)

• **Sec. 86-100. - Expenses.**

Upon the granting of the petition and the adoption of an ordinance vacating the right-of-way, the petitioner shall pay to the city all expenses incurred in connection therewith including, but not limited to, proof of ownership of adjacent lands, surveyor's fees, appraiser's fees, legal fees and expenses and publication expense. The nonrefundable fee paid to the city as required by section 86-96(7), shall be applied toward the payment of the closing charges and expenses required under this article to be paid by the petitioner.

(Code 1968, § 23-55)

• **Sec. 86-101. - Easements.**

Each ordinance adopted in accordance with this article vacating a municipal right-of-way shall contain a reservation unto the city of a perpetual easement for utilities, unless this requirement is waived or modified by formal action of the city council in open session.

(Code 1968, § 23-56)



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205 North Marion Avenue

Lake City, FL 32055

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FOR USE BY THE LAKE CITY GROWTH DEPARTMENT ONLY

Attachments - Checklist

Legal Description ✓ *AW*
Title ✓ *AW*
Other Abutting Land Owners ✓ *AW*

Right-of-Way Cert _____

Sketch/Drawing ✓ *AW*

Payment ✓ *AW*

Review and Initial all Requirements *AW*

Petitioner:

**George H. Hudson Jr.
309 SW Lakeview Ave
Lake City, Fla. 32025
residence and mailing address are the same**

Legal Description:

The south 50.00 feet of the North 158.00 feet of block 15, McFarlane Park Subdivision, a subdivision according to the plat thereof recorded in plat book B, page 5 of the public records of Columbia County, Florida.

Land abutting the subject right away:

**Patricia A Caldwell
339 SW Lakeview Ave
Lake City, Fla. 32025
Mailing Address:
PO Box 2843
Lake City, Fla. 32056**



Columbia County Property Appraiser Jeff Hampton | Lake City, Florida | 386-758-1083

PARCEL: 00-00-00-12601-001 (41141) | SINGLE FAMILY (0100) | 0.316 AC
 W DIV: N 108 FT OF BLOCK 15 MCFARLANE PARK S/D & S1/2 OF SPRING ST LYING E OF SEVENTH ST (NKA SW LAKEVIEW AVE) SAID PORTION OF CLOSED ST LYING N OF &

Owner: HUDSON GEORGE H JR		2022 Working Values		
309 SW LAKEVIEW AVE	Mkt Lnd	\$22,950	Appraised	\$229,361
LAKE CITY, FL 32055	Ag Lnd	\$0	Assessed	\$171,508
Site: 309 SW LAKEVIEW Ave, LAKE CITY	Bldg	\$197,261	Exempt	\$50,000
	XFOB	\$9,150		county: \$121,508
Sales	Just	\$229,361	Total	city: \$121,508
4/26/2012			Taxable	other: \$0
12/15/2004				school: \$146,508
12/22/2003				

NOTES:



This information was derived from data which was compiled by the Columbia County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. GrizzlyLogic.com



0 73 146 219 292 365 438 511 584 657 730 ft

Columbia County Property Appraiser Jeff Hampton | Lake City, Florida | 386-758-1083

PARCEL: 00-00-00-12601-000 (41140) | MUNICIPAL IMP-EX (8900) | 0.552 AC
 W DIV: ALL BLOCK 15 MCFARLANE PARK S/D & N1/2 OF SPRING ST, EX N 108 FT OF BLK 15 & EX S1/2 OF SPRING ST AS LIES E OF SEVENTH ST (NKA SW LAKEVIEW AVE)

Owner: CITY OF LAKE CITY
 205 N MARION AVE
 LAKE CITY, FL 32055

Site:
Sales Info NONE

2022 Working Values			
Mkt Lnd	\$31,238	Appraised	\$31,238
Ag Lnd	\$0	Assessed	\$31,238
Bldg	\$0	Exempt	\$31,238
XFOB	\$0	Total	county:\$0 city:\$0
Just	\$31,238	Taxable	other:\$0 school:\$0

NOTES:



Columbia County, FL

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HOME

Record Search Search Results Parcel Details GIS Map



Tools

- ▶ MEASURE OUTPUT
- ▶ SAVE MAP IMAGE
- ▶ PRINT MAP

Paper Size: 8.5 x 11 Show map center outline

Paper Orientation: Portrait

Highlight Current Parcel: (if any)
 Outline Color Fill Label

Notes for Title Block: (optional)

Print Preview / Send to Printer

Please read Printer Settings below

Printer Settings

- You must set the same Paper Size and Orientation in the system Printer Dialog box to match the settings above.
- For best results: Use your printer's minimum margin setting (0.5" on sides and top) You may need to test several margins settings for your specific printing device.
- Turn off any "Shrink to Fit" option or set scale factor to 100%

DISCLAIMER:

- Web browsers are not designed to print maps to scale, this site makes no guarantee of the accuracy of the final product.
- Please do not use this website to obtain printed maps to scale.



▼ OPTIONS

- Show Scalebar
- Auto-hide PRINT panel
- Show Zoom IN/OUT menu icons

M. S. MARIAN S. HUDSON, JR.
1234 5th Street, Lake City, FL 32155

MARIAN S. HUDSON, JR.
1234 5th Street, Lake City, FL 32155
P.O. Box 2499, Lake City, FL 32155
1234 5th Street, Lake City, FL 32155

FILED BY THE CLERK OF COURTS
COLUMBIA COUNTY, FLORIDA
1234 5th Street, Lake City, FL 32155

CORRECTIVE WARRANTY DEED

THIS INSTRUMENT made this 26 day of April, 2012 between MARIAN S. HUDSON, as Trustee of the George H. Hudson, Sr. Living Trust and as Trustee of the Marian S. Hudson Living Trust, whose address is P.O. Box 2499, Lake City, Florida 32155, party of the first part, and GEORGE H. HUDSON, JR., whose address is 709 SW Lakewood Avenue, Lake City, Florida 32155, party of the second part.

WITNESSETH

WHEREAS GEORGE H. HUDSON, SR. and his wife MARIAN S. HUDSON, conveyed the real property more particularly described below (the "Property") to George H. Hudson, Sr. by that certain Warranty Deed dated December 15, 2004, and recorded as Official Records Book 1053, Page 547 of the public records of Columbia County, Florida ("Original Deed") and

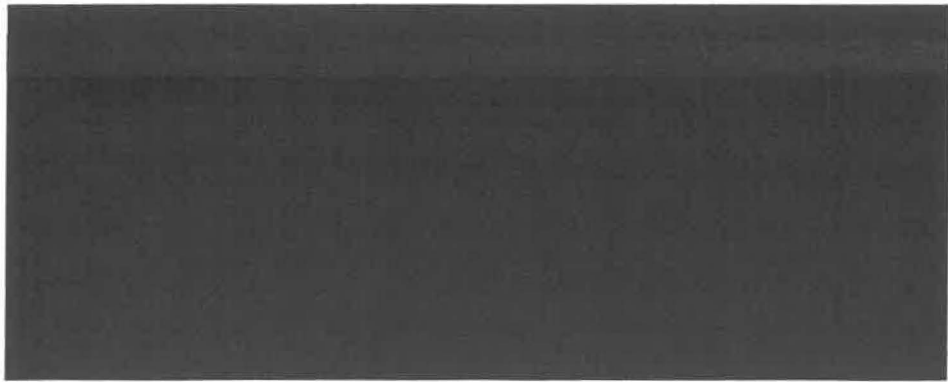
WHEREAS, due to scrivener's error, the Original Deed set forth the name of the grantor therein as George H. Hudson, Sr. and his wife, Marian S. Hudson rather than George H. Hudson, Sr. as Trustee of the George H. Hudson, Sr. Living Trust as to a 50% interest and Marian S. Hudson as Trustee of the Marian S. Hudson Living Trust as to a 50% interest and further omitted certain statements regarding trustee powers; and

WHEREAS, GEORGE H. HUDSON, SR. died on October 30, 2011, as a result of his death, MARIAN S. HUDSON became the sole Trustee of the George H. Hudson, Sr. Living Trust; and

WHEREAS, the said party of the first part desires to clear up any cloud which may exist on the title to the Property in the party of the second part by reason of such scrivener's errors and to convey to the party of the second part the Property;

NOW THEREFORE, the said party of the first part, in consideration of love and affection has granted, bargained, and conveyed to the said party of the second part, his heirs, successors and assigns forever, the following described lands, situate, lying and being in Columbia County, Florida, to-wit:

Lot North 100 feet of Block 15, McFARLANE PARK SUBDIVISION, a subdivision according to the plat thereof recorded in Plat Book B, Page 507 of the Public Records of Columbia County, Florida.



ALSO

The South End Spring Street (being East of Seventh Street (Old) Avenue) in
MARIANE SUBDIVISION

Real State Assessment No. 0000001290000

Subject to covenants, restrictions, easements, mortgages and all other encumbrances of
record and taxes assessed subsequent to December 31, 2011, provided, however, this reference
will not serve to reimpose any such covenants, restrictions or easements.

MARIAN S. HUDSON, hereby certifies that the above described property does not
constitute her constitutional homestead as made and provided by the laws of the State of Florida.

TO HAVE AND TO HOLD for same together with all and singular the appurtenances
hereunto in anywise appertaining, to the estate, right, title, interest, here, equity and
claim whatsoever of the said party of the first part, either in law or equity, to the only property
in, on and below of the said party of the second part, his successors and assigns forever.

IN WITNESS WHEREOF, the undersigned, has hereunto set her hand and seal the day and
year first above written.

Signed and Sealed in Our
Presence:

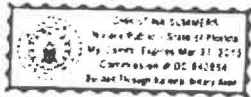
Sign: [Signature]
Print Name: Marian S. Hudson

[Signature] TTE
MARIAN S. HUDSON, as Trustee
Trustee of the George H. Hudson, Sr.
Living Trust and as Trustee of the
Marian S. Hudson Living Trust

Sign: [Signature]
Print Name: RICHARD GREEN

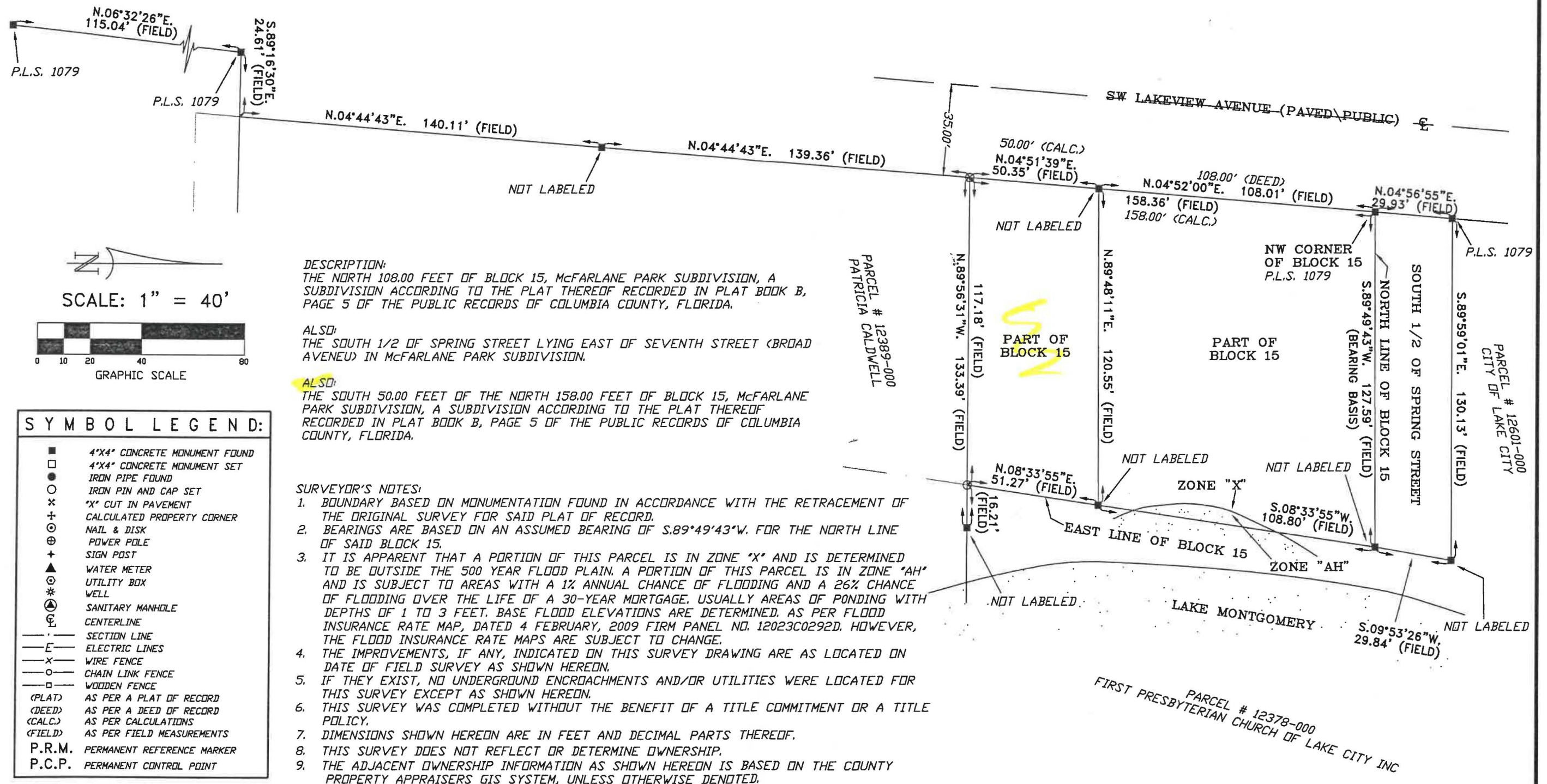
STATE OF FLORIDA
COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 26 day of April
2012, by MARIAN S. HUDSON, as Trustee of the George H. Hudson, Sr. Living Trust and as
Trustee of the Marian S. Hudson Living Trust, NOTARY PUBLIC STATE OF FLORIDA, who is
personally known to me or [] who has produced a current [State] []
driver's license as identification.

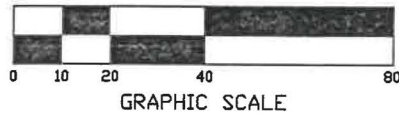


[Signature]
Notary Public, Columbia County, Florida
NOTARY PUBLIC, State of Florida
Commission Number: DC 842854

BOUNDARY SURVEY IN SECTION 31, TOWNSHIP 3 SOUTH,
RANGE 17 EAST, COLUMBIA COUNTY, FLORIDA.



SCALE: 1" = 40'



SYMBOL LEGEND:

■	4"x4" CONCRETE MONUMENT FOUND
□	4"x4" CONCRETE MONUMENT SET
●	IRON PIPE FOUND
○	IRON PIN AND CAP SET
×	"X" CUT IN PAVEMENT
+	CALCULATED PROPERTY CORNER
⊙	NAIL & DISK
⊕	POWER POLE
+	SIGN POST
▲	WATER METER
⊙	UTILITY BOX
*	WELL
⊙	SANITARY MANHOLE
⊙	CENTERLINE
---	SECTION LINE
-E-	ELECTRIC LINES
-x-	WIRE FENCE
-o-	CHAIN LINK FENCE
-□-	WOODEN FENCE
(PLAT)	AS PER A PLAT OF RECORD
(DEED)	AS PER A DEED OF RECORD
(CALC.)	AS PER CALCULATIONS
(FIELD)	AS PER FIELD MEASUREMENTS
P.R.M.	PERMANENT REFERENCE MARKER
P.C.P.	PERMANENT CONTROL POINT

DESCRIPTION:
THE NORTH 108.00 FEET OF BLOCK 15, McFARLANE PARK SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B, PAGE 5 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA.

ALSO:
THE SOUTH 1/2 OF SPRING STREET LYING EAST OF SEVENTH STREET (BROAD AVENUE) IN McFARLANE PARK SUBDIVISION.

ALSO:
THE SOUTH 50.00 FEET OF THE NORTH 158.00 FEET OF BLOCK 15, McFARLANE PARK SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B, PAGE 5 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA.

SURVEYOR'S NOTES:

- BOUNDARY BASED ON MONUMENTATION FOUND IN ACCORDANCE WITH THE RETRACEMENT OF THE ORIGINAL SURVEY FOR SAID PLAT OF RECORD.
- BEARINGS ARE BASED ON AN ASSUMED BEARING OF S.89°49'43"W. FOR THE NORTH LINE OF SAID BLOCK 15.
- IT IS APPARENT THAT A PORTION OF THIS PARCEL IS IN ZONE "X" AND IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN. A PORTION OF THIS PARCEL IS IN ZONE "AH" AND IS SUBJECT TO AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 26% CHANCE OF FLOODING OVER THE LIFE OF A 30-YEAR MORTGAGE. USUALLY AREAS OF PONDING WITH DEPTHS OF 1 TO 3 FEET. BASE FLOOD ELEVATIONS ARE DETERMINED, AS PER FLOOD INSURANCE RATE MAP, DATED 4 FEBRUARY, 2009 FIRM PANEL NO. 12023C0292D. HOWEVER, THE FLOOD INSURANCE RATE MAPS ARE SUBJECT TO CHANGE.
- THE IMPROVEMENTS, IF ANY, INDICATED ON THIS SURVEY DRAWING ARE AS LOCATED ON DATE OF FIELD SURVEY AS SHOWN HEREON.
- IF THEY EXIST, NO UNDERGROUND ENCROACHMENTS AND/OR UTILITIES WERE LOCATED FOR THIS SURVEY EXCEPT AS SHOWN HEREON.
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR A TITLE POLICY.
- DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
- THE ADJACENT OWNERSHIP INFORMATION AS SHOWN HEREON IS BASED ON THE COUNTY PROPERTY APPRAISERS GIS SYSTEM, UNLESS OTHERWISE DENOTED.

CERTIFIED TO:

GEORGE H. HUDSON JR.

FIELD BOOK: 383 PAGE(S): 35

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

06/28/22 07/08/22
FIELD SURVEY DATE DRAWING DATE

L. SCOTT BRITT, P.S.M.
CERTIFICATION # 5757

NOTE: UNLESS IT BEARS THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.



BRITT SURVEYING & MAPPING, LLC

LAND SURVEYORS AND MAPPERS, L.B. # 8016

1438 SW MAIN BLVD, LAKE CITY, FLORIDA 32025

(386)752-7163 FAX (386)752-5573

www.brittsurvey.com

WORK ORDER # L-28678