

CITY COUNCIL RESOLUTION NO. 2022-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXCHANGE OF PARCELS OF LAND WITH FLORIDA GATEWAY COLLEGE TO CLEAR UP AMBIGUITIES IN OWNERSHIP AND USE OF THE PARCELS; IMPLEMENTING THE TERMS AND CONDITIONS OF THE AGREEMENT DATED JUNE 4, 1991 BETWEEN THE CITY AND THE UNITED STATES OF AMERICA, FEDERAL AVIATION ADMINISTRATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City, Florida (hereinafter the “City”), owns and operates the Lake City Gateway Airport (hereinafter the “Airport”) located on several parcels of land in Columbia County, Florida; and

WHEREAS, the Board of Trustees of the Florida Gateway College (hereinafter the “College”), owns property adjacent and near the Airport; and

WHEREAS, the ownership to some parcels of real property that border the Airport have been questioned; and

WHEREAS, attached hereto as composite Exhibit “A” are parcel descriptions, sketches or depictions of the parcels numbered “Parcel One”, “Parcel Two”, and “Parcel Three”; and

WHEREAS, the land to be conveyed by Quit Claim Deed labeled “Parcel One” is believed to be titled to the College but has been used by the City as a runway border for more than twenty years; and

WHEREAS, the land to be conveyed by Quit Claim Deed labeled “Parcel Two” is believed to be titled to the City but has been used by the College as a dormitory and swimming pool (now demolished) and an office space and parking lot for more than forty years; and

WHEREAS, the land to be conveyed by Quit Claim Deed labeled “Parcel Three” is titled to the City but has not been used by the City for more than twenty years and has been passively used by the College as part of its Southern approach landscaping, sound buffer, and other uses for many years; and

WHEREAS, the Quit Claim Deeds to be executed by the parties will need accurate legal descriptions to be prepared by a licensed surveyor; and

WHEREAS, there is an agreement between the City and the United States of America acting by and through the Federal Aviation Administration (hereinafter the "FAA") dated June 4, 1991, and recorded in Official Records Book 751, Page 1033, public records of Columbia County, Florida which allows for the described transfers of Parcels One and Two; and

WHEREAS, the City and College are desirous of clearing up and resolving the foregoing titles and ownership issues; and

WHEREAS, the City and College have each agreed to bear their own respective costs incurred in clearing up said issues; and

WHEREAS, the Board of Trustees of Florida Gateway College is considering a reciprocal motion or resolution to this resolution; and

WHEREAS, the City Council has determined that it is in the best interests of the citizens of the City of Lake City that the foregoing title and ownership interests be cleared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

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

Section 2. The City and College will jointly solicit and procure the services of a Florida licensed surveyor to survey and provide legal descriptions to be included in the respective Quit Claim Deeds. The cost of such survey services will be equally shared by the parties.

Section 3. After the accurate legal descriptions are prepared and approved by legal counsel for the City, the Mayor is authorized to execute the Quit Claim Deeds by the City as Grantor to the College as Grantee of Parcels One and Three.

Section 4. Upon the City's receipt of a duly executed Quit Claim Deed from the College as Grantor to the City as Grantee for Parcel Two, the City is authorized to deliver said deeds to Parcels One and Three to the College.

Section 5. The City Manager will cause the deed to Parcel Two to be recorded upon receipt among the public records of Columbia County, Florida.

Section 6. Severability. If any clause, section, or other part of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 7. Conflict. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 8. This resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED at a meeting of the City Council this ____ day of March 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

AGREEMENT

THIS AGREEMENT made and entered into this 4 day of JUNE, 1991 by and between the UNITED STATES OF AMERICA, party of the first part, acting by and through the Federal Aviation Administration, hereinafter referred to as the FAA and the City of Lake City, a municipal corporation organized and existing under the laws of the State of Florida; WITNESSETH:

WHEREAS, the United States of America, acting by and through the War Assets Administrator under and pursuant to Executive Order 9689 dated January 31, 1946, and the powers and authority contained in the provisions of the Surplus Property Act of 1944 (58 Stat. 765), as amended, and applicable rules, regulations, and orders, by an instrument of transfer entitled "Quitclaim Deed" dated August 29, 1947 and July 7, 1948; did remise, release and forever quitclaim to the City of Lake City, Florida, its successors and assigns, all rights, title and interest in and to that certain property located and situated in Columbia County, Florida, subject to certain terms, conditions, reservations, and restrictions, said Quitclaim Deed being recorded in Book 59, Pages 109-116 and Deed Book 66, Pages 29 to 42, of the Public Records of Columbia County, Florida, reference being hereto made as if fully set out herein, and

WHEREAS, the City of Lake City has requested the United States of America to release certain real property located at the Lake City Municipal Airport from all of the terms, conditions, reservations, and restrictions of the said instruments of transfer, and

WHEREAS, the City of Lake City wants to transfer certain real property, herein referred to as Parcel No. 1 to the District Board of Trustees of Lake City Community College for the expansion of Lake City Community College, Lake City, Florida, said property being described as follows:

Commence at the SW corner of NE 1/4 of the NW 1/4, Section 1, T4S, R17E, and run N 55°48' E, 338.20 feet to Point of Beginning; thence N 06°18' E, 310.00 feet; thence S 83°48' E, 219.41 feet; thence S 06°11' W, 1524.24 feet; thence N 83°11' W, 33.49 feet; thence N 38°52' W, 266.55 feet; thence N 06°18' E for a distance of 1025.63 feet to Point of Beginning; said land lying in the E 1/2, of the NW 1/4, Section 1, T4S, R17E, Columbia County, Florida, containing 7.32 acres more or less, and

WHEREAS, the District Board of Trustees of Lake City Community College wants to transfer certain real property, herein referred to as Parcel No. 2, located contiguous to the Lake City Municipal Airport, Lake City, Florida, said property being described as follows:

Commence at the NE corner of NW 1/4 of NW 1/4 of NE 1/4, Section 1, Township 4 south, Range 17 East and proceed S 00° 29' 40" E for a distance of 59.36 feet; thence N 83° 55' 30" W for a distance 1388.20 feet; thence N 06° 34' 00" E for a distance of 274.45 feet; thence N 56° 56' 00" E for a distance of 397.26 feet; thence S 02° 19' 30" W for a distance of 484.00 feet to Point of Beginning, said land lying in Section 36, Township 3 South, Range 17 East and Section 1, Township 4 South, Range 17 East, Columbia County, Florida, containing 15.64 acres, more or less, and

WHEREAS, the City of Lake City and the District Board of Trustees of Lake City Community College have agreed to an exchange of the real properties mentioned herein, and

NOW THEREFORE, for and in consideration of the FAA's releasing Parcel No. 1 from all the terms, conditions, reservations, and restrictions, the Owner hereby agrees as follows:

1. To incorporate in any deed of transfer or conveyance or surrenderance of any portion of said property (Parcel No. 1) any reservation or restriction which is reserved or retained in the Deed of Release to protect the rights and interest of the public in the airport, and to preserve its use as a safe usable airfield.
2. To impose on (Parcel No. 2) all the terms, conditions, reservations and restrictions which were imposed on Parcel No. 1 in the Deed of Conveyance from the United States of America to the City of Lake City dated August 29, 1947 and July 7, 1948.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 4th day of JUNE, 1991.

WITNESSES

(SPONSOR)

Christine M. Welch

BY

T. Gerald Witt, Mayor
(Title)

Jackie B. Cox

BY

James M. Sinclair City Clerk
(Title)

EX 0751 PG 1034

OFFICIAL RECORDS

(SEAL)

ATTEST:

0751 161035

(Title)
OFFICIAL

Approved:

(Title)

WITNESSES:

Armando L. Kovin

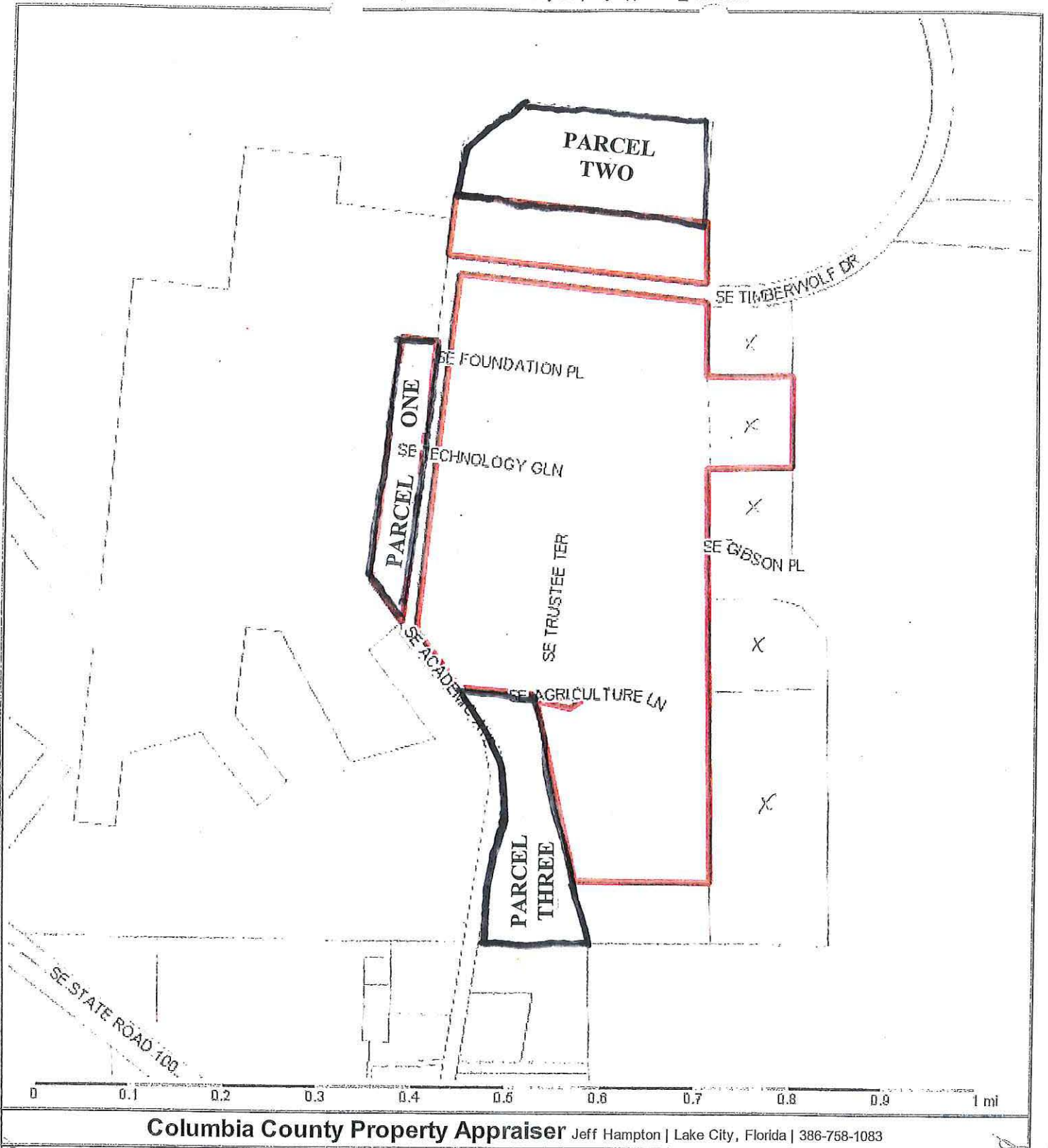
THE UNITED STATES OF AMERICA

BY

James Sheppard
Manager, Orlando Airports District Office
Airports Division, Southern Region
Federal Aviation Administration
Department of Transportation

91-13814

Maal Keen



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

EXHIBIT "A-1"

PARCEL 1. Partial but incomplete legal descriptions.

Commence at the SW corner of NE 1/4 of the NW 1/4, Section 1, T4S, R17E, and run N 55°48' E, 338.20 feet to Point of Beginning; thence N 06°18' E, 310.00 feet; thence S 83°48' E, 219.41 feet; thence S 06°11' W, 1524.24 feet; thence N 83°11' W, 33.49 feet; thence N 38°52' W, 266.55 feet; thence N 06°18' E for a distance of 1625.63 feet to Point of Beginning; said land lying in the E 1/2, of the NW 1/4, Section 1, T4S, R17E, Columbia County, Florida, containing 7.32 acres more or less, and

PARCEL 2. Partial but incomplete legal descriptions.

Commence at the NE corner of NW 1/4 of NW 1/4 of NE 1/4, Section 1, Township 4 South, Range 17 East and proceed S 00°29'40" E for a distance of 59.36 feet; thence N 83°55'30" W for a distance 1388.20 feet; thence N 06°34'00" E for a distance of 274.45 feet; thence N 56°56'00" E for a distance of 397.26 feet; thence S 02°19'30" W for a distance of 484.00 feet to Point of Beginning, said land lying in Section 36, Township 3 South, Range 17 East and Section 1, Township 4 South, Range 17 East, Columbia County, Florida, containing 15.64 acres, more or less, and

PARCEL 3. Legal description to be determined by survey.