

CITY COUNCIL RESOLUTION NO. 2023-058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER AN EASEMENT CONVEYING SAID EASEMENT TO IDENTIFIED LANDOWNERS LOCATED ON WEST BOUNDARY OF CITY OWNED PROPERTY LOCATED IN THE NW ¼ OF THE NE ¼ OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 16 EAST, COLUMBIA COUNTY, FLORIDA.

WHEREAS, the City of Lake City, Florida (hereinafter the “City”) holds title to real property which is located on the West boundary of real property owned by the City in the NW ¼ of NE ¼ of Section 23, Township 4 South, Range 16 East, Columbia County, Florida; and

WHEREAS, the real property described in the attached Easement is located on the western edge of City owned property located in the NW ¼ of the NE ¼ of Section 23, Township 4 South, Range 16 East, Columbia County, Florida allowing for the adjoining landowners to have legal access to their properties; and

WHEREAS, the City desires to convey an Easement to the adjoining property owners as identified in the attached Right of Way Easement; and

WHEREAS, the City Council finds that it is in the best interests of the City to grant the Mayor the authority to execute and deliver the attached Easement to the adjoining property owners identified in the attached Right of Way Easement.

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

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

Section 2. The City finds the parcels of real property described in the attached Right of Way Easement to be surplus to its needs and that it is in the public interest to convey the Right of Way Easement to the adjoining landowners.

Section 3. The City is hereby authorized to convey an Easement to the adjoining property owners as identified in the Right of Way Easement attached.

[Remainder of this page left blank intentionally.]

Section 4. The City Manager and City Attorney are authorized to make such reasonable changes and modifications to the Right of Way Easement as may be deemed legal and necessary and in the best interest of the City and its citizens. The Mayor is authorized and directed to execute and deliver the Right of Way Easement in the name and on behalf of the City, with such changes, amendments, modifications, omissions, and additions made by the City Manager and City Attorney. Execution by the Mayor shall be deemed to be conclusive evidence of approval of such changes, amendments, modifications, omissions, and additions.

PASSED AND ADOPTED at a meeting of the City Council this _____ day of June 2023.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: _____
Audrey Sikes, City Clerk

By: _____
Thomas J. Kennon, III,
City Attorney

RIGHT OF WAY EASEMENT

THIS INDENTURE made and entered into this ____ day of _____, 2023, between the City of Lake City, Florida, a Florida municipality, whose mailing address is 205 N. Marion Avenue, Lake City, Florida 32055 (hereinafter "Grantor"), and Ola G. Woods, whose post office address is 2155 West 17th Street, Jacksonville, Florida 32209; Edwin Dessables, whose post office address is 3160 Coral Springs Dr, Unit 3, Coral Springs, Florida 33065-3802; Celestine C. Levy, whose post office address is 56 Terra Bella Dr, Manvel, Texas 77578; and Essie Johnson Lewis and Felisha L. Mike, whose post office address is 400 SW Tunsil Street, Lake City, Florida 32024 (hereinafter the "Grantees").

WITNESSETH, that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the grantor has this date conveyed to the grantees and their heirs, personal representatives, successors and assigns, a non-exclusive, perpetual easement for the purpose of ingress, egress and regress over and across the following described lands in Columbia County, Florida, to-wit:

The West 30.00 feet of the North 928.5 feet of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 4 South, Range 16 East, Columbia County, Florida as lies South of SW Tunsil Lane

which said easement area shall serve and be a covenant forever running with the lands in Columbia County, Florida, now owned by the grantees, described as follows, to-wit:

One acre in the Northeast Corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 23, Township 4 South, Range 16 East;

Together with

Commence at the Southeast corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 23, Township 4 South, Range 16 East, Columbia County, Florida and run North 2 degrees 02 minutes 41 seconds West along the East line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, 414.90 feet to the Point of Beginning, thence continue North 2 degrees 02 minutes 41 seconds West along said East line, 298.50 feet, thence South 87 degrees 58 minutes 25 seconds West, 210.00 feet to the East line of a 30 foot road easement, thence South 2 degrees 02 minutes 41 seconds East along the East line of said road easement, 298.50 feet, thence North 87 degrees 58 minutes 25

seconds East, 210.00 feet to the Point of Beginning;

Together with

Begin 420 feet South of the Northeast Corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and run South 210 feet; West 210 feet; North 210 feet; East 210 feet to the Point of Beginning, in Section 23, Township 4 South, Range 16 East, containing one acre, more or less;

Together with

Begin two hundred and ten (210) feet, South of the Northeast Corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and run West two hundred and ten (210) feet; thence South two hundred and ten (210) feet; thence East two hundred and ten (210); thence North two hundred and ten (210) feet, to the Point of Beginning, being one (1) acre of land in Section 23, Township 4 South, Range 16 East, in Columbia County, Florida.

Said easement area shall be kept open for the joint use and benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

Grantor, their heirs, personal representatives and assigns, shall in no way be bound to construct, improve or maintain a roadway on the above described easement area, and grantor assumes no liability or responsibility to any person using said easement by invitation, express or implied, or otherwise.

TO HAVE AND TO HOLD said non-exclusive, perpetual easement and right unto the grantees, their heirs, personal representatives, successors and assigns, forever.

[Remainder of this page left blank intentionally. Signature page to follow.]

IN WITNESS WHEREOF, grantor has hereunto set their hand and seal as of the day and year first above written.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt,
Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Thomas J. Kennon, III,
City Attorney

**STATE OF FLORIDA
COUNTY OF COLUMBIA**

The foregoing instrument was acknowledged before me by means of ____ physical presence or ____ online notarization, this ____ day of _____, 2023 by STEPHEN M. WITT, Mayor of the City of Lake City, Florida, and AUDREY E. SIKES, City Clerk of the City of Lake City, Florida, who are personally known to me or produced _____ as identification.

Notary Public - Signature

Notary Name - Printed