

ORDINANCE NO. 2023-2250

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CITY CODE TO ADD A NEW SECTION NUMBER 86-110.20 TO ARTICLE III, CHAPTER 86, WHICH PROVIDES FOR THE PARTIAL ABANDONMENT OF A 20.00 FOOT WATER AND SEWER UTILITY EASEMENT AS A PORTION OF PARCEL 1 OF OFFICIAL RECORDS BOOK 776, PAGE 1724, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a parcel of land lying in Section 35, Township 3 South, Range 16 East, Columbia County, Florida recorded in the public records of Columbia County, Florida, contains a portion of land containing a 20.00 foot water and sewer utility easement; 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: PARTIAL ABANDONMENT OF 20.00 FOOT WATER AND SEWER UTILITY EASEMENT AS A PORTION OF PARCEL 1 OF OFFICIAL RECORDS BOOK 776, PAGE 1724, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA (hereinafter the "Parcel"; further identified in Exhibit A 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 86-110.20 which section reads as follows:

Section 86-110.20 PARTIAL ABANDONMENT OF 20.00 FOOT WATER AND SEWER UTILITY EASEMENT AS A PORTION OF PARCEL 1 OF OFFICIAL RECORDS BOOK 776, PAGE 1724, 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 _____ 2023.

NOTICE PUBLISHED on this _____ day of _____ 2023.

PASSED AND ADOPTED on the second and final reading this _____ day of _____ 2023.

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

IN SECTION 35, TOWNSHIP 3 SOUTH, RANGE 16 EAST, LAKE CITY, COLOMBIA COUNTY, FLORIDA

PARTIAL ABANDONMENT OF 20' WATER AND SEWER UTILITY EASEMENT:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35 AND RUN SOUTH 06°26'28" WEST ALONG THE WEST BOUNDARY OF SAID SECTION 35, A DISTANCE OF 2853.10 FEET; THENCE SOUTH 83°33'32" EAST ALONG THE NORTH BOUNDARY OF A 25.00 FOOT PUBLIC UTILITY EASEMENT AS PLATTED ON THE PLAT OF GATEWAY CROSSING AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 114 OF THE AFORESAID PUBLIC RECORDS A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF A 20 FOOT WATER AND SEWER EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 776, PAGE 1724, PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA, ALSO BEING THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING RUN THENCE SOUTH 78°06'45" EAST ALONG THE NORTHERLY BOUNDARY OF SAID EASEMENT, A DISTANCE OF 368.04 FEET TO THE WESTERLY BOUNDARY OF A 22.5 FOOT PUBLIC UTILITY EASEMENT AS PLATTED ON THE AFORESAID PLAT OF GATEWAY CROSSING; THENCE LEAVING SAID NORTHERLY BOUNDARY AND RUN SOUTH 17°59'44" WEST ALONG SAID WESTERLY BOUNDARY A DISTANCE OF 20.11 FEET TO THE SOUTHERLY BOUNDARY OF SAID 20 FOOT WATER AND SEWER EASEMENT; THENCE NORTH 78°06'45" WEST ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 363.99 FEET TO THE AFORESAID EASTERLY BOUNDARY OF A 25.00 FOOT PUBLIC UTILITY EASEMENT; THENCE NORTH 06°26'28" EAST, ALONG SAID EASTERLY BOUNDARY A DISTANCE OF 20.09 FEET TO THE POINT OF BEGINNING.

1. THIS IS NOT A BOUNDARY SURVEY.
2. THIS SKETCH AND DESCRIPTION IS BASED ON MEASUREMENTS CONDUCTED ON JULY 26, 2022.
3. BEARINGS ARE BASED ON AN ASSUMED BEARING OF SOUTH 06°26'28" WEST FOR THE WEST LINE OF SECTION 35

LLC = LIMITED LIABILITY COMPANY
LS = LICENSED SURVEYOR
P.B. = PLAT BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PSM = PROFESSIONAL SURVEYOR &
MAPPER
R/W = RIGHT-OF-WAY
TP = TAX PARCEL

 SUBJECT PARCEL LINE
 TAX PARCEL LINE
 RIGHT-OF-WAY LINE
 SECTION LINE
 SUBJECT PARCEL

LANDS OF
GWC DEVELOPMENT
PARTNERS LLC
COMMON AREA 2
GATEWAY CROSSING
P.B. 9, PG. 114
TP 35-3S-16
-02524-012

