

CITY COUNCIL RESOLUTION NO. 2022-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA AUTHORIZING THE EXECUTION OF A QUIT CLAIM DEED; PROVIDING FOR THE CONVEYANCE OF REAL PROPERTY TO THE LAKE CITY-COLUMBIA COUNTY HUMANE SOCIETY, INC.; PROVIDING FOR THE RESERVATION OF A PERPETUAL EASEMENT FOR CITY UTILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City, Florida (hereinafter the "City"), considered a request from the Lake City-Columbia County Humane Society, Inc. (hereinafter the "Humane Society") and executed a *Quit-Claim Deed With Reverter Rights* on June 6, 2011; and

WHEREAS, the Humane Society has requested of the City Council that the reversionary interest included in the aforementioned deed be removed so that the Human Society may seek commercial lending and use the real property as collateral; and

WHEREAS, the City Council finds that the attached *Quit Claim Deed* (hereinafter the "Deed") memorializes the request of the Humane Society and the intention of the Humane Society and City; and

WHEREAS, the City Council finds that honoring the request of the Humane Society is in the best interests of both the Humane Society and the City.

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 hereby incorporated herein and made a part of this resolution.

Section 2. The City is hereby authorized to re-convey the real property to

the Humane Society by execution of the *Quit Claim Deed*.

Section 3. The City Manager and City Attorney are authorized to make such reasonable changes and modifications to the Deed 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 Deed 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 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

**THIS INSTRUMENT PREPARED BY
AND RETURN TO::**

MARLIN M. FEAGLE, ESQUIRE
MARLIN M. FEAGLE, ATTORNEY AT LAW, P.A.
153 NE Madison Street
Post Office Box 1653
Lake City, Florida 32056-1653
Florida Bar No. 0173248

The preparer of this instrument has performed no title examination nor has the preparer issued any title insurance or furnished any opinion regarding the title, existence of liens, the quantity of lands included, or the location of the boundaries. The names, addresses, tax identification numbers and legal description were furnished by the parties to this instrument.

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED made this _____ day of _____, 2022, by the **CITY OF LAKE CITY, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose post office address is 205 North Marion Avenue, Lake City, Florida, 32055, hereinafter call the Grantor, to the **LAKE CITY-COLUMBIA COUNTY HUMANE SOCIETY, INC.**, a Florida not-for-profit corporation, whose mailing address is 1392 N Shelter Glen, Lake City, Florida 32055, hereinafter called the Grantee.

WITNESSETH:

That the Grantor, for and in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS**, and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens remises, releases, conveys and confirms unto the Grantee, all that certain land situate in the County of Columbia, State of Florida, viz:

TOWNSHIP 3, SOUTH, RANGE 17 EAST

Section 30: Commence at the SW corner of the NW 1/4 of the SW 1/4 of Section 30, Township 3 South, Range 17 East, Columbia County, Florida, as the POINT OF BEGINNING; thence run N 0° 05' 00" W. along the West range line of 17 East, also being the West section line of Section 30, a distance of 527.32 feet to the South right-of-way line of the Seaboard Air Line Railroad; thence run S 87° 00' 54" E. along said South right-of-way line, a distance of 633.75 feet; thence run S 02° 58' 42" W, a distance of 486.67 feet; thence run S 89° 12' 55" W, a distance of 606.90 feet to the POINT OF BEGINNING.

This parcel is identified by the Property Appraiser's records as Parcel No. 30-3S-17-05855-000.

Grantor hereby reserves unto itself, its successors and assigns, a perpetual easement over , and under and across the above-described land for the purpose of constructing, installing, replacing, repairing, enlarging, expanding, maintaining, and operating water, sewer, gas and communication lines, and drainage facilities, and other public utility facilities, and related appurtenances, together with all rights reasonably necessary or incident thereto, including the rights of ingress and egress to and from the above-described land for the purpose of exercising its rights provided for herein.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

This deed is given Grantee as authorized by City Council Resolution No. _____.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

CITY OF LAKE CITY, FLORIDA

Witness

By: _____

STEPHEN M. WITT

Mayor

Print or Type Name

Witness

Print or Type Name

Witnesses as to City of Lake City, Florida

**STATE OF FLORIDA
COUNTY OF COLUMBIA**

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization this _____ day of _____, 2022, by **STEPHEN M. WITT**, as **Mayor of the CITY OF LAKE CITY, FLORIDA**, a municipal corporation organized under the laws of Florida, for and on behalf of said City who is personally known to me or has produced a Florida driver's license as identification.

Notary Public, State of Florida

(NOTARIAL
SEAL)

My Commission Expires:

APPROVED AS TO FORM AND LEGALITY

By: _____
FRED KOBERLEIN
City Attorney