

CITY COUNCIL RESOLUTION NO. 2020-142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO A PORTION OF THE SIDEWALK ON VETERANS STREET TO THE JOHN G. KUYKENDALL LIVING TRUST MEASURING APPROXIMATELY 48.75 FEET.

WHEREAS, the City of Lake City, Florida, (hereinafter the "City"), owns the right-of-way, including the sidewalks, to Veterans Street (hereinafter the "City Property") in downtown Lake City; and

WHEREAS, John G. Kuykendall as Trustee of the John G. Kuykendall Living Trust (hereinafter the "Trust"), owns title to the property located at 248 North Marion Avenue, Lake City, Florida, more particularly described in deed recorded in Official Records Book 1229, Page 2580, public records of Columbia County, Florida (hereinafter the "Trust Property"), which abuts the Veterans Street sidewalk along the South boundary of the Trust Property; and

WHEREAS, the Trust desires to construct a security gate and railings to the Trust Property's fire escape located on the Trust Property abutting Veterans Street; and

WHEREAS, the Trustee has requested the City convey the Trust an easement along a portion of the sidewalk adjacent to the Trust Property to allow for construction of the security gate and railings; and

WHEREAS, the City Council finds that a conveyance to the Trust of an easement along that portion of Veterans Street sidewalk more particularly described as follows, is in the best interests of the City:

COMMENCE at the Southwest corner of Block 9, Central Division, City of Lake City, Florida, and run North 88°25'04" East along the South line of said Block 9 a distance of 101.54 feet to the POINT OF BEGINNING; thence continue North 88°25'04" East along said South line of Block 9 a distance of 10.91 feet; thence South 01°34'24" East a distance of 4.46 feet; thence South 88°22'57" West a distance of 10.91 feet; thence North 01°35'14" West a distance of 4.47 feet to a point on the South line of said Block 9 and the POINT OF BEGINNING. Containing 48.75 square feet, more or less,

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 convey the aforementioned easement property to the Trust.

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

FLK/aj
11/30/2020

PASSED AND ADOPTED a meeting of the City Council this ____ day of
December 2020.

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

EASEMENT DEED

THIS QUIT CLAIM DEED made and executed this _____ day of December 2020 between the City of Lake City, Florida having a mailing address of 205 North Marion Avenue, Lake City, Florida 32055, (“GRANTOR”); and the John G. Kuykendall Living Trust, Trustee John G. Kuykendall, dated February 15, 2012, and any amendments thereto, having a mailing address of 248 North Marion Avenue, Lake City, Florida 32055, GRANTEE.

WITNESSETH:

That Grantor, for and in consideration of the mutual obligations herein contained, and other valuable consideration, receipt of which is hereby acknowledged, has given and granted, and by these presents does give and grant unto the Grantee, its successors and assigns, an easement on, over, under, and across real property in Columbia County, Florida, described in “Exhibit A” attached hereto and incorporated herein (the “Property”).

Grantor and Grantee acknowledge and agree that the Grantee shall be entitled to alter the easement for the purpose of providing, installing, and maintaining a security gate and railings to the existing fire escape along the South side of the existing building abutting Veterans Street, together with all rights reasonably necessary or incident thereto, including the right of ingress and egress to and from the Property to the Grantee, its successors and assigns, for the purpose of exercising its rights provided for herein.

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns, forever.

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

IN WITNESS WHEREOF, Grantor has set his hand and seal the day and year first written above.

Signed, sealed and delivered
in the presence of:

CITY OF LAKE CITY, FLORIDA

Witness

By: _____
Stephen M. Witt, Mayor

(Type or print name)

[SEAL]

Witness

(Type or print name)

ATTEST:

By: _____
Audrey E. Sikes, City Clerk

**STATE OF FLORIDA
COUNTY OF COLUMBIA**

The foregoing instrument was acknowledged before me by means of [check one box] ____ physical presence or ____ online notarization, this ____ day of December, 2020 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 either ____ personally known to me or produced _____ as identification.

[SEAL]

Notary Public – Signature

Notary Name - Printed

EXHIBIT A

DESCRIPTION

A part of the Central Division, City of Lake City, in Section 32, Township 3 South, Range 17 East, Columbia County, Florida, being more particularly described as follow:

COMMENCE at the Southwest corner of Block 9, Central Division, City of Lake City, Florida, and run North $88^{\circ}25'04''$ East along the South line of said Block 9 a distance of 101.54 feet to the POINT OF BEGINNING; thence continue North $88^{\circ}25'04''$ East along said South line of Block 9 a distance of 10.91 feet; thence South $01^{\circ}34'24''$ East a distance of 4.46 feet; thence South $88^{\circ}22'57''$ West a distance of 10.91 feet; thence North $01^{\circ}35'14''$ West a distance of 4.47 feet to a point on the South line of said Block 9 and the POINT OF BEGINNING. Containing 48.75 square feet, more or less.