

CITY COUNCIL RESOLUTION NO. 2022-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA ACCEPTING A UTILITY EASEMENT FROM CYPRESS LAKE LAND TRUST FOR THE PURPOSE OF EXTENDING THE SEWER MAIN.

WHEREAS, the City of Lake City, Florida, (hereinafter the "City"), has identified a need for a six (6) foot utility easement to extend a sewer main along the boundary line of a piece of real property identified by the Columbia County Property appraiser as Parcel ID 02433-001, (hereinafter the "Property"); and

WHEREAS, Cypress Lake Land Trust (hereinafter "Cypress") is the owner of the aforementioned Property and the City has requested that Cypress grant a public utility easement to the City; and

WHEREAS, Cypress has agreed to convey a utility easement to the City and the City Council finds that it is in the best interests of the City to accept the grant of the utility easement deed a copy of which is attached hereto and made a part of this resolution.

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 accept the grant of a utility easement deed from Cypress for the purpose of extending a sewer main.

[Remainder of this page left blank intentionally.]

Section 3. This Resolution shall take effect immediately upon its adoption.

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

Return to:
City of Lake City, Florida
Attn: City Clerk
205 N. Marion Ave
Lake City, Florida 32055

This instrument prepared by:
Koberlein Law Offices
855 SW Baya Drive
Lake City, FL 32025

WARRANTY DEED FOR UTILITY EASEMENT

THIS INDENTURE, made this ____ day of _____, 2022, by CYPRESS LAKE LAND TRUST, having a mailing address of P.O. Box 16, Lake City, Florida 32056, (hereinafter the “Grantor”), grants, conveys, and warrants unto City of Lake City, Florida, a municipal corporation organized under the laws of the State of Florida, having a mailing address of 205 N. Marion Avenue, Lake City, Florida 32055, (hereinafter the “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 hereby warrants and covenants, (a) that it is the owner of the fee simple title to the premises in which the Property is located, (b) that it has full right and lawful authority to grant and convey this easement to Grantee, and (c) that Grantee shall have quiet and peaceful possession, use, and enjoyment of the Property as to Grantor’s interest.

Grantor and Grantee acknowledge and agree that the Grantee shall be entitled to alter the easement for the purpose of providing, installing, and maintaining sewer lines, 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.

Grantor hereby covenants and agrees that no buildings, structures or obstacles shall be located, constructed, excavated or created within the Property. If the Property is fenced, Grantor shall install gates of sufficient width to allow for trucks and equipment to have ready access to the Property. If the gates are locked, Grantor shall provide Grantee with keys. If signs are placed upon the Property, they shall be erected in a manner not to interfere with the purposes of the Property. If Grantor's future orderly development of Grantor's adjacent premises is in physical conflict with Grantee's Property, Grantee shall, within sixty (60) days after receipt of written request from Grantor, relocate Grantee's Property to another mutually agreed upon Property in Grantor's premises, provided that such relocation is feasible based upon general accepted engineering principles, and provided that prior to the relocation of Grantee's Property: (a) Grantor shall pay to Grantee the full expected cost of the relocation as estimated by Grantee, and (b) Grantor shall execute and deliver to Grantee an acceptable and recordable easement to cover the relocated facilities. Upon completion of the relocation, the easement herein shall be considered canceled as to the portion vacated by such relocation.

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

[Signature pages (two) to follow]

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed under seal on the day and year aforesaid.

CYPRESS LAKE LAND TRUST

Signed, sealed and delivered
in the presence of:

Witness' Signature

Print Name

Witness' Signature

Print Name

By: _____
Richard Cole, Trustee

**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 RICHARD COLE, as Trustee of the Cypress Lake Land Trust, who is personally known to me or produced _____ as identification.

Notary Public – Signature

Notary Name - Printed

CYPRESS LAKE LAND TRUST

Signed, sealed and delivered
in the presence of:

Witness' Signature

Print Name

Witness' Signature

Print Name

By: _____
Daniel Crapps, Trustee

**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 DANIEL CRAPPS, as Trustee of the Cypress Lake Land Trust,
who is personally known to me or produced _____
as identification.

Notary Public – Signature

Notary Name - Printed

EXHIBIT A

Parcel #02433-001

A 6 FOOT UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

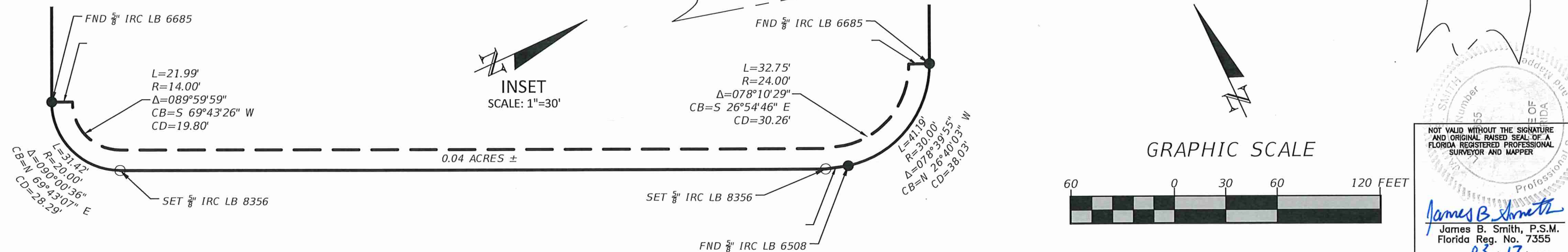
COMMENCE AT THE NORTHEAST CORNER OF LOT 3, CYPRESS LAKE BUSINESS PARK, A SUBDIVISION RECORDED IN PLAT BOOK 9, PAGES 112 AND 113, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA, AND RUN SOUTH 65°20'47" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 90, A DISTANCE OF 326.96 FEET TO THE POINT OF BEGINNING. THENCE SOUTH 24°00'00" WEST, A DISTANCE OF 6.00 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 24.00 FEET, A CENTRAL ANGLE OF 78°10'29", A CHORD BEARING OF SOUTH 26°54'46" EAST, AND A CHORD DISTANCE OF 30.26 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 32.75 FEET; THENCE SOUTH 24°39'43" WEST, A DISTANCE OF 204.97 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 14.00 FEET, A CENTRAL ANGLE OF 89°59'59", A CHORD BEARING OF SOUTH 69°43'26" WEST, AND A CHORD DISTANCE OF 19.80 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 21.99 FEET; THENCE SOUTH 24°43'25" WEST, A DISTANCE OF 6.00 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'36", A CHORD BEARING OF NORTH 69°43'07" EAST, AND A CHORD DISTANCE OF 28.29 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 31.42 FEET; THENCE NORTH 24°39'43" EAST, A DISTANCE OF 205.38 FEET; THENCE NORTH 16°49'08" WEST, A DISTANCE OF 6.60 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 78°39'55", A CHORD BEARING OF NORTH 26°40'03" WEST, AND A CHORD DISTANCE OF 38.03 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 41.19 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 0.04 ACRES MORE OR LESS.


NOTES:

- 1.) Monumentation is as shown and designated on the face of the plat.
- 2.) Boundary based on monumentation found in place, set based upon adjoining information, and prior survey by North Florida Professional Services.
- 3.) Bearings based on State Plane Coordinates (Florida North).
- 5.) Underground encroachments, if present, were not located with this survey.
- 6.) This survey was made without benefit of a title search. There may be additional easements, restrictions, etc. not shown hereon but found in the Public Records. Issues regarding title, land use & zoning, easements & other encumbrances are not a part of the scope of a Boundary Survey and can only be revealed with a title search.
- 7.) Date of field survey completion: March 10, 2022.
- 8.) Examination of the Flood Insurance Rate Maps (FIRM) for Suwannee County shows that, per said maps, the described parcel lies within Flood Zone "X". All areas outside the 1-percent annual chance floodplain are Zone X. This includes areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. ref: Map No. 12023C0290D). No Base Flood Elevations or depths are shown within this zone.

SEE SHEET "2" FOR
LEGAL DESCRIPTIONS

LEGEND	
(F)=FIELD MEASUREMENT	
IRC=IRON ROD AND CAP	
FND=FOUND	
COR.=CORNER	
P.S.M.=PROFESSIONAL SURVEYOR & MAPPER	
NE=NORTHEAST	
R/W=RIGHT-OF-WAY	
NW=NORTHWEST	
CMF=CONCRETE MONUMENT FOUND	
SW=SOUTHWEST	
SE=SOUTHEAST	
LB=LICENSED BUSINESS	
(D)=DEED CALL	
UTIL.=UTILITY	



REVISIONS		NORTH FLORIDA PROFESSIONAL SERVICES, INC.	JOB NUMBER: L220224CLC SOR: JAMES B. SMITH P.S.M. NO.: 7355	CITY OF LAKE CITY	SHEET NO. 1
DATE	DESCRIPTION				
		 P.O. BOX 3823 LAKE CITY, FL 32056 PH. 386-752-4675 LIC NO. LB8356	2551 BLAIRSTONE PINES DR. TALLAHASSEE, FL 32301 WWW.NFPS.NET CA# 29011		

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

DESCRIPTION:

Part of the Southwest 1/4 of the Northeast 1/4 of Section 33,Township 3 South, Range 16 East, Columbia County, Florida, being more particularly described as follows:

BEGIN at the Northeast corner of Lot 3, CYPRESS LAKE BUSINESS PARK, a subdivision recorded in Plat Book 9, Pages 112 and 113, of the public records of Columbia County, Florida, and run South 65°20'38" East, along the Southerly right-of-way line of U.S. Highway No. 90, a distance of 326.95 feet to the point of curve of a curve concave to the Southwest having a radius of 30.00 feet, a central angle of 78°56'22", a chord bearing of South 26°30'48" East, and a chord distance of 38.14 feet; thence Southeasterly along the arc of said curve, a distance of 41.33 feet to a point on the Westerly right-of-way line of SW Sweetbreeze Drive; thence South 17°24'00" West, along said Westerly right-of-way line of SW Sweetbreeze Drive, a distance of 6.54 feet; thence South 24°40'25" West, still along said Westerly right-of-way line of SW Sweetbreeze Drive, a distance of 205.41 feet to the point of curve of a curve concave to the Northwest having a radius of 20.00 feet, a central angle of 90°00'42", a chord bearing of South 69°39'39" West, and a chord distance of 28.29 feet, thence Southwesterly along the arc of said curve, a distance of 31.42 feet to a point on the Northerly right-of-way line of SW Prosperity Place; thence North 65°20'00" West, along said Northerly right-of-way line of SW Prosperity Place, a distance of 195.78 feet to the point of curve of a curve concave to the South, having a radius of 625.00 feet, a central angle of 10°38'29", a chord bearing of North 70°38'07" West, and a chord distance of 115.91 feet; thence Westerly along the arc of said curve, still being along said Northerly right-of-way line of SW Prosperity Place, a distance of 116.08 feet; thence North 76°00'23" West, still along said Northerly right-of-way line of SW Prosperity Place, a distance of 26.64 feet to the Southeast corner of Lot 3, CYPRESS LAKE BUSINESS PARK, a subdivision recorded in Plat Book 9, Pages 112 and 113, of the public records of Columbia County, Florida; thence North 24°38'50" East, along the East line of said Lot 3, a distance of 271.40 feet to the POINT OF BEGINNING. Containing 2.11 acres, more or less.

SURVEYOR'S NOTE:

The above legal description has not yet been recorded. The Columbia County public records have yet to reflect these changes as of 03/17/22.


EASEMENT DESCRIPTION:

A utility easement along the East side of the above described property, being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 3, CYPRESS LAKE BUSINESS PARK, a subdivision recorded in Plat Book 9, Pages 112 and 113, of the public records of Columbia County, Florida, and run South 65°20'47" East, along the Southerly right-of-way line of U.S. Highway No. 90, a distance of 326.96 feet to the POINT OF BEGINNING. Thence South 24°00'00" West, a distance of 6.00 feet to the point of curve of a curve concave to the Southwest having a radius of 24.00 feet, a central angle of 78°10'29", a chord bearing of South 26°54'46" East, and a chord distance of 30.26 feet; thence Southeasterly along the arc of said curve, a distance of 32.75 feet; thence South 24°39'43" West, a distance of 204.97 feet to the point of curve of a curve concave to the North having a radius of 14.00 feet, a central angle of 89°59'59", a chord bearing of South 69°43'26" West, and a chord distance of 19.80 feet; thence Southwesterly along the arc of said curve, a distance of 21.99 feet; thence South 24°43'25" West, a distance of 6.00 feet to the point of curve of a curve concave to the Northwest having a radius of 20.00 feet, a central angle of 90°00'36", a chord bearing of North 69°43'07" East, and a chord distance of 28.29 feet; thence Northeasterly along the arc of said curve, a distance of 31.42 feet; thence North 24°39'43" East, a distance of 205.38 feet; thence North 16°49'08" West, a distance of 6.60 feet to the point of curve of a curve concave to the Southwest having a radius of 30.00 feet, a central angle of 78°39'55", a chord bearing of North 26°40'03" West, and a chord distance of 38.03 feet; thence Northwesterly along the arc of said curve, a distance of 41.19 feet back to the POINT OF BEGINNING. Containing 0.04 acres more or less.

REVISIONS

DATE	DESCRIPTION
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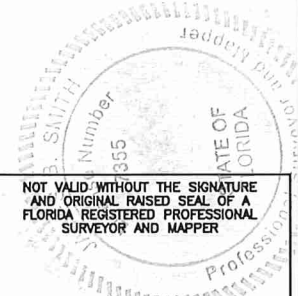
NORTH FLORIDA PROFESSIONAL SERVICES, INC.

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JOB NUMBER:
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SOR:
JAMES B. SMITH
P.S.M. NO.:
7355

CITY OF LAKE CITY

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER

James B. Smith, P.S.M.
Florida Reg. No. 7355
DATE: 03/17/2022

SHEET NO.

2

Sam Gray

3/17/2022 8:29:27 AM

X:\2022\L220224CLC\H.CADD\Survey\SURVRD03.dxf

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.