

ORDINANCE NO. 2024-2278

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CITY CODE TO ADD A NEW SECTION NUMBER 86-110.22 TO ARTICLE III, CHAPTER 86, WHICH PROVIDES FOR THE PERMANENT VACATING OF A RIGHT OF WAY; FINDING THAT THE RIGHT OF WAY WAS ABANDONED BY THE CITY; FINDING THAT THE CLOSING OF THE RIGHT OF WAY WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY, OR WELFARE; FINDING THAT IT IS IN THE BEST INTEREST OF THE CITY AND FOR THE GENERAL WELFARE OF ITS CITIZENS TO CLOSE THE RIGHT OF WAY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City, Florida (hereinafter the “City”) desires to close, vacate, and abandon a parcel of land commencing at the intersection of the west line of Chestnut Street and the north line of E. Duval St. and run thence S.86°08’00”W., alongs, said North line 74.55 feet, S.86°08’00”W., 146.25 feet; Thence N 02.°37’00”w., 96.40 feet, to the Point of Beginning; Thence continue N.01°20’31”E, 29.09 feet, Thence S. 88°32’05” E 100.19 feet; thence S.04°30’31” W 27.84 feet thence N.89°03’33”W 140.14 feet to the Point of Beginning, Columbia County, Florida recorded in the public records of Columbia County, Florida; and

WHEREAS, maintenance of such undeveloped and unused parcels (right-of-way) creates potential liability, additional work, and costs to 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: commence at the intersection of the west line of Chestnut Street and the north line of E. Duval St. and run thence S.86°08’00”W., alongs, said North line 74.55 feet, S.86°08’00”W., 146.25 feet; Thence N 02.°37’00”W., 96.40 feet, to the Point of Beginning; Thence continue N.01°20’31”E, 29.09 feet, Thence S. 88°32’05” E 100.19 feet; thence S.04°30’31” W 27.84 feet thence N.89°03’33”W 140.14 feet to the Point of Beginning (hereinafter the “Parcel”; further identified in Exhibit A attached hereto); and

WHEREAS, the City shall reserve an easement over, across, and under said lands for the purpose of extending utilities as the city may deem necessary to serve its citizens together with rights of ingress and egress to the property.

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 86-110.22 which section reads as follows:

Section 86-110.22 Vacating the right of way commencing at the intersection of the west line of Chestnut Street and the north line of E. Duval St. and run thence S.86°08'00"W., alongs, said North line 74.55 feet, S.86°08'00"W., 146.25 feet; Thence N 02.°37'00"W., 96.40 feet, to the Point of Beginning; Thence continue N.01°20'31"E, 29.09 feet, Thence S. 88°32'05" E 100.19 feet; thence S.04°30'31" W 27.84 feet thence N.89°03'33"W 140.14 feet to the Point of Beginning, Columbia County, Florida.

The City shall reserve an easement over, across, and under said lands for the purpose of extending utilities as the city may deem necessary to serve its citizens together with rights of ingress and egress to the property.

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.

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.

Section 8. Effective Date. This ordinance shall become effective upon adoption.

PASSED upon first reading this 5th day of February 2024.

NOTICE PUBLISHED on this _____ day of _____ 2024.

PASSED AND ADOPTED on the second and final reading this _____ day of _____ 2024.

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