

ORDINANCE NO. 2022-2213

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CITY CODE TO ADD A NEW SECTION NUMBERED 86-110.17 TO ARTICLE III, CHAPTER 86, WHICH PROVIDES FOR THE PERMANENT CLOSING, VACATING, AND ABANDONING OF THAT PORTION OF LAUREL LANE LYING BETWEEN BLOCKS 17 AND 18 OF MCFARLANE PARK SUBDIVISION, AND EAST OF SW MONTGOMERY AVENUE, MCFARLANE PARK SUBDIVISION, A SUBDIVISION AS PER THE PLAT THEREOF AND RECORDED IN PLAT BOOK 423, PAGE 604 OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; FINDING THAT THE ROADWAY WAS ABANDONED BY THE CITY; FINDING THAT THE CLOSING OF THE ROADWAY 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 ROADWAY; PROVIDING FOR A RESERVATION OF UTILITY EASEMENTS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, McFarlane Park Subdivision, a subdivision recorded in Plat Book 423, Page 604, public records of Columbia County, Florida (herein “McFarlane Park, Subdivision”), contains various planned roadways that are neither open to nor used by the public; and

WHEREAS, maintenance of such unopened streets creates potential liability, additional work, and costs to the City of Lake City, Florida (hereinafter the “City”); and

WHEREAS, the City Council finds that a portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW Montgomery Avenue, has never been opened, maintained, improved, or used by the City or the public for any purpose; and

WHEREAS, the City Council finds that it is in the public interest to permanently close, vacate, and abandon that portion of Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW

Montgomery Avenue, and that the closing of said streets will not prevent any lot in the subdivision from having ingress and egress to and from a public street; and

WHEREAS, notice has been given to all utility companies holding franchises from the City for review and comment with respect to the permanent closing, vacating, and abandonment of that portion of SW Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW Montgomery Avenue.

NOW, THEREFORE, BE IT ENACTED 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 Code of the City of Lake City is hereby amended by adding a section 17, Article III, to be numbered Section 86-110.17 which section reads as follows:

Section 86.110.7 That portion of SW Laurel Lane lying between Blocks 17 and 18 of McFarlane Park Subdivision, and East of SW Montgomery Avenue, McFarlane Park Subdivision, a subdivision recorded in Plat Book 423, Page 604, Public Records of Columbia County, Florida (herein “McFarlane Park Subdivision”), is hereby permanently closed, vacated, and abandoned.

Section 3. The City shall convey by Quit Claim Deed to the record title owner that portion of SW Laurel Lane which is closed, vacated, and abandoned to the centerline of the vacated street which abut their respective properties.

Section 4. The City hereby reserves a perpetual easement over, under and above each of the vacated, closed and abandoned streets for the purpose of using said rights of way for all public utilities, including but not limited to water, sewer, gas and communication lines, drainage facilities, and other public utility facilities, and related appurtenances.

Section 5. The Mayor is hereby authorized to execute and deliver said Quit Claim Deeds as authorized herein.

Section 6. All ordinances or parts of ordinances in conflict herewith are and the same are hereby repealed.

Section 7. If any section, subsection, sentence, clause or phrase of this ordinance or 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 8. 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 9. This ordinance shall take effect immediately upon its adoption.

PASSED upon first reading this _____ day of _____ 2022.

NOTICE PUBLISHED on this _____ day of _____ 2022.

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